

DIOCESE OF MARQUETTE
A Complete Accounting

Dana Nessel
Attorney General

October 27, 2022

(Revised/Updated Summary and Conclusion, May 20, 2024)
(Revised/Updated Entry of Fr. Carne, Fr. Minelli, Fr. Roberts, June 25, 2026)

This report is for informational purposes only. It is a compilation of the information obtained from the tip line, victim interviews, police investigations, open-source media, paper documents seized from the Diocese, and electronic documents found on the diocesan computers as well as reports of allegations disclosed by the Diocese.

This report contains detailed descriptions of allegations of sexual abuse and other sexual misconduct (including grooming and misuse of authority) against minors and adults. Should you need assistance please call 855-VOICES4.

A criminal charge is merely an allegation, and the defendant is presumed innocent unless and until proven guilty.

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SUMMARY

On September 21, 2018, the Michigan Department of Attorney General (AG) launched an investigation into clergy sexual abuse throughout the State of Michigan, focusing on the seven Dioceses of Michigan's Catholic Church. The Archdiocese is located in Detroit. The remaining Dioceses are located in Lansing, Grand Rapids, Kalamazoo, Gaylord, Marquette, and Saginaw. The investigation is a partnership between the AG and the Michigan State Police (MSP). The purpose of the investigation is to determine if sexual abuse of minors and adults was being reported as required by law and to investigate potential criminal charges against those responsible for the abuse or for covering up sexual abuse. It was intended that the investigation and its results would be documented in a written report to be made available to the public.

Released October 22, 2022, this is the first of what will be seven separate reports. They have been divided by Diocese. On January 8, 2024, the AG released its report regarding the Diocese of Gaylord, and on May 22, 2024, the AG released its report regarding the Diocese of Kalamazoo. It is our intent to share what was learned during the investigation as to ensure that any past failure to report sexual abuse will never happen again.

At the beginning of the investigation, a tip line was created and staffed from 8 am–5 pm, Monday through Friday, to collect first-hand information on sexual abuse within the church from the community at large. As of October 27, 2022, this tip line has generated 1,015 tips related to abuse. That number is 844-324-3374. We encourage anyone with information related to sexual abuse to contact the Department.

On October 3, 2018, a search warrant was executed on all seven Dioceses simultaneously in order to seize any information and records each Diocese had regarding reports of sexual abuse. A search warrant is an order signed by a judge that allows for the search and seizure of specified items when probable cause exists to establish that a crime has occurred and that the place sought to be searched is likely to yield the information. The search warrant was executed in tandem with multiple police agencies, which included 42 Michigan State Police Detectives and Troopers, two Midland Police Officers, two Saginaw Township Police Officers, one Grand Blanc Police Officer, and 15 Special Agents. It lasted 8 hours and more than 220 boxes of documents were seized. An estimated 1.5 million paper documents were seized.

In 2019, the Michigan Legislature appropriated $635,000 to partially fund this investigation. It allotted $400,000 to electronic document management and $235,000 for victim advocacy. Electronic document management has cost approximately $479,116.37 as of October 27, 2022.

At the outset of the investigation, the AG's office organized a "core group" of AG staff and MSP investigators who would work to ensure that a fair and thorough

investigation was conducted into the materials that were seized as a result of a search warrant. Thoughtful efforts were made to include a variety of experience in staff. The team also includes attorneys from the Criminal Justice Bureau, including trial prosecutors and appellate specialists. The team includes attorneys from Licensing and Regulatory Affairs (LARA) because offenders sometimes would also possess a professional license such as counseling. It was determined that, if appropriate, action would be taken to remove professional licenses in an effort to keep the community safe.

To ensure communication with the Dioceses, the core team staff meet quarterly with diocesan lawyers to discuss processes and procedures that will streamline the investigation. All seven Dioceses have agreed to cooperate with the investigation and from all accounts are abiding by that agreement.

In an effort to cooperate with the AG's investigation, the Dioceses have agreed to provide all reports of sexual abuse that they receive during the course of the investigation. The Dioceses agreed to allow the AG's office to conduct a criminal investigation into the sexual abuse report first, waiting to conduct any internal investigation until the AG investigation has concluded. Experience indicates that victims of sexual abuse wait many years before they disclose the abuse to others. In this investigation, victims continue to report sexual abuse to the Dioceses. The AG does not wish to interfere in the victim's spiritual relationship with their church or the Diocese and encourages victims to cooperate in any subsequent canonical investigation. Finally, if the victim is interested in counseling services, the AG victim advocate works to obtain services for the survivor.

In 2002, the Michigan Dioceses implemented their own systems of reporting and investigating reports of sexual abuse. One of the processes they developed was intake of abuse reports. To date, the Dioceses all have victim advocate coordinators (VAC). These VACs are responsible for speaking with people who report sexual abuse by a priest. To varying degrees, the Dioceses have all developed forms and systems used to report abuse. As of October 27, 2022, we have received 184 referrals from the Dioceses. Sixteen of the referrals came from the Diocese of Marquette. For those reports that involve a priest in active ministry, an investigation is initiated immediately. The Dioceses have agreed to give the AG's office at least 48 hours to conduct an initial investigation before alerting the offender priest. This 48-hour jumpstart provides the investigators an ability to make contact with the victim, and in some cases the suspect priest. While the Dioceses officially provide 48 hours for the AG investigation, they have typically withheld notification to the priest until cleared by AG staff.

The timeframe in which a criminal proceeding can be started is referred to as the statute of limitations (SOL). Once the SOL has expired, a criminal case can never be started. Prior to 2001 the SOL for criminal sexual conduct first degree (CSC 1) was six years from the date of offense, or the victim's 18th birthday day. In 2001,

the SOL for first-degree criminal sexual conduct (CSC 1) was eliminated, making it possible to bring criminal charges at any time. The crime of CSC 1 can be charged under a number of different theories. The most common theories are when penetration occurred and the victim was under 13 years old, or the victim was forced/coerced into the sexual activity and the victim suffered from personal injury including mental anguish. For cases where the allegations of sexual abuse fell clearly outside the SOL, the AG team members interviewed those who were reporting sexual abuse and were willing to discuss their victimization using a trauma-informed interview style. For those cases in which the SOL has not run out or there is the possibility that the offender priest left the state during the SOL, thereby tolling the statute, a criminal investigation was conducted. Where appropriate, criminal charges were brought. For the vast majority of cases, a criminal prosecution was simply not possible.

For Marquette, the investigation yielded 52 tips. Sixteen of those were provided directly from the Diocese of Marquette. Of the 220 boxes of paper documents that were seized, approximately 74,000 documents were reviewed related to the Marquette Diocese. Of the 2.5 million electronic documents seized, 861,686 documents were reviewed related to the Diocese of Marquette.

Some information contained in this report comes from the website https://www.bishop-accountability.org/. It defines itself as follows, and explains the basis for the inclusion of the clergy on its site:

> BishopAccountability.org is the largest public library of information on the Catholic clergy abuse crisis. We are a digital collection of documents, survivor witness, investigative reports, and media coverage. We also do basic research on abuser histories and church management, and we maintain definitive databases of persons accused in the United States, Argentina, Chile, and Ireland, with other databases in development.
>
> We are not an advocacy organization, and we take no position on possible remedies for the crisis. We are a library open to everyone looking to understand the problem of clergy abuse of children.
>
> The materials we have collected also provide insight into child protection generally and Catholic history beyond the abuse crisis, and they comprise a unique case study of institutional response to misconduct and demands for change.[1]

* * *

[1] https://www.bishop-accountability.org/ (last accessed May 10, 2024).

> Our Database of Publicly Accused does not state or imply that individuals facing allegations are guilty of a crime or liable for civil claims. The reports contained in the database are merely allegations. The U.S. legal system presumes that a person accused of or charged with a crime is innocent until proven guilty. Similarly, individuals who may be defendants in civil actions are presumed not to be liable for such claims unless a plaintiff proves otherwise. Admissions of guilt or liability are not typically a part of civil or private settlements.[2]

The list of priests for which there were allegations of sexual misconduct against either children or adults since January 1, 1950, for the Diocese of Marquette is derived from information gleaned from a search warrant that was executed against the Diocese of Marquette on October 3, 2018, and from the tip line operated by the Department of Attorney General since 2018. There are 44 priests on this list; 38 were employed or incardinated by the Diocese of Marquette.

The allegations are summarized here, and their inclusion does not reflect a determination by the Department that the allegations are credible or otherwise substantiated. The vast majority of reported allegations of sexual assault or other sexual misconduct (including grooming conduct) were against either boys or girls under the age of 16 and also under the age of 18, but there were also allegations against five priests related to adults (18 years or older). A couple of the claims allege actions by priests against adults in which there is a claim that the priests relied on their authority to engage in sexual conduct or attempt to do so. Not all the files that were retrieved by search warrant are complete; as with the priest list, the information here is a reporting of the allegations either found in the seized, non-privileged documents or gleaned from the tips received.

For the 44 priests for whom there were record support or tips of allegations, three were convicted for their conduct: Fr. Terrence Healy was convicted of second-degree criminal sexual conduct against a minor in 1987 for his conduct that occurred while operating as a priest in the Diocese of Lansing; Fr. Norbert LaCosse was convicted of criminal sexual misconduct in 1991 against a minor; and Fr. Gary Jacobs was convicted of five counts of first- and second-degree criminal sexual conduct in 2022 against five victims for the crimes he committed in the 1980s. The Department of Attorney General prosecuted Fr. Jacobs for his crimes. For a fourth priest, Fr. Roy Joseph, there are first-degree criminal sexual conduct charges pending against him filed in 2019. The Department is currently seeking to extradite him from India.

And a fifth priest, Fr. Aaron Nowicki, was charged by the Chippewa County prosecutor with four felony counts for events that allegedly occurred in 2021, two years after the Diocese removed him from ministry: child sexually abusive activity, accosting a child for immoral purposes, and two counts of using a computer to

[2] https://www.bishop-accountability.org/accused/ (last accessed May 14, 2024).

commit a crime. In 2023, Fr. Nowicki was convicted of child sexually abusive activity, acquitted of the other charges, and on January 30, 2024, he was sentenced to 18 months to 20 years in prison. His appeal is pending in the Court of Appeals, Case No. 369801.

As to the other allegations, in virtually all of the cases either the statute of limitations had run, or the priest had died prior to the start of the Department's investigation. Few of the allegations were examined by law enforcement officials during the time in which the statute of limitations would have allowed for a charge if warranted. Also, in the vast majority of the cases, the allegations were brought to diocesan officials only after the statute of limitations had run or after the priest had died. The Department investigated the allegations against Fr. James Menapace before his death, but the complainant was not prepared to move forward.

For the 44 priests of whom 38 were incardinated in the Diocese of Marquette, the Diocese lists six diocesan priests who have "substantiated claims against them of sexual abuse" as follows: (1) Rev. Aaron Nowicki, (2) Rev. Joseph D. Carne, (3) Rev. Richard Craig, (4) Rev. James Menapace, (5) Terrence Healy, and (6) Gary A. Jacobs. For non-diocesan priests, there are two listed: (7) Rev. Juvenal Pfalzer, OFM and (8) Rev. Roman Pfalzer, OFM.[3] According to this diocesan report, Fr. Nowicki was removed in 2019 for having an improper relationship with a vulnerable adult; Fr. Nowicki was convicted of child sexually abusive activity for events in 2021 after his removal from ministry. The Department's report includes allegations against six of the eight priests listed on the diocesan report, but it has no information about Frs. Juvenal and Roman Pfalzer.

The bishop accountability list of accused priests—which includes allegations against children and adults—identified the same first six priests as the Diocese in October 2022, but also included an additional eleven priests, nine for the Diocese of Marquette: (1) Fr. Donald Hartman, (2) Fr. Aloysius Hasenberg, (3) Fr. Raymond Hoefgen, (4) Fr. Roy Joseph, (5) Fr. Norbert LaCosse, (6) Fr. Frank Lenz, (7) Fr. Clement LePine, (8) Armour Roberts (Bismarck), (9) Fr. Guy Thoren, (10) Fr. Bernard Van der Schueren, and (11) Fr. James Wolf (Detroit).[4] The Department's list also includes these eleven priests.

For the 44 priests, 32 are known or presumed to be dead. For the 12 who are living or presumed to be living, two are retired but remain in active ministry, one for the Diocese of Marquette, Fr. Mark McQuesten, and the other for the Byzantine Eparchy of Pittsburgh, Fr. Leonard Cornelius, OFM. The allegations against these two priests related to complainants who were 16 years old.

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[3] https://www.Dioceseofmarquette.org/statusreport (Accessed on October 26, 2022).

[4] See https://www.bishop-accountability.org/dioceses/usa-mi-marquette/ (Accessed October 26, 2022).

In June 2002, the National Conference of Catholic Bishops instituted the "Charter for the Protection of Children and Young People." In this Charter, the Dioceses and Eparchies in the United States pledged to protect children from sexual abuse.[5] As one of the principles in Article 5 of the Charter, "Diocesan/eparchial policy is to provide that for even a single act of sexual abuse of a minor—whenever it occurred—which is admitted or established after an appropriate process in accord with canon law, the offending priest or deacon is to be permanently removed from ministry and, if warranted, dismissed from the clerical state." (Charter, p 11.) Related to this point, "[i]f the allegation is deemed not substantiated, every step possible is to be taken to restore his good name, should it have been harmed." (*Id.*) Also, in Article 4, "Dioceses/eparchies are to report an allegation of sexual abuse of a person who is a minor to the public authorities with due regard for the seal of the Sacrament of Penance." (Charter, p 10.)

For the 44 priests, the vast majority of sexual misconduct was alleged to have occurred before 2002, except for four, all of whom are alive and one for whom the allegation resulted in a conviction: Fr. Nowicki was convicted of child sexually abusive activity in Chippewa County in 2023 as noted above.

[5] https://www.usccb.org/offices/child-and-youth-protection/charter-protection-children-and-young-people (Last accessed May 14, 2024).

(1) FR. CASIMIR ADASIEWICZ

Died in 1981.

In 2008, Jane Doe1 reported to the Diocese of Marquette that when she was seven years old, around 1965, she was "molested and raped" by Fr. Casimir Adasiewicz after being sent from school to the rectory at Sacred Heart Church in L'anse (Baraga County). (App'x CA#1, Note dated November 6, 2008.) According to her report, Fr. Adasiewicz told her that her brother would die if she ever reported the sexual abuse. (*Id.*) She further reported she believed there were "lots of kids" that were victimized by him. (*Id.*)

In an earlier letter dated October 10, 2008, Doe1 wrote a letter to Bishop Alexander Sample after having shared her story with him at a retreat for survivors of sexual abuse by clergy. (App'x CA#2, Letter from Doe1, October 10, 2008.) Bishop Sample acknowledged this letter in a response. (App'x CA#3, Letter from Bishop Sample, October 24, 2008.)

(2) FR. THOMAS ANDERSON

Died in 1981.

In April 2002, John Doe1 wrote to the Diocese, stating that he was sexually abused by Fr. Thomas Anderson from 1963–67 while he was in elementary school, grades first through fifth, at St. Agnes School in Iron River, Michigan. (App'x TA#1, Letter from Doe1, dated April 30, 2002.) While acting as an altar server, he indicated that he was "fondled and eventually sodomized" by Fr. Anderson. (*Id.*) When Doe1 disclosed the sexual abuse to his teacher, he noted that he was called a "liar." (*Id.*) He further explained in the letter that the following year he was not allowed to return to the school for Sixth Grade, and his parents were provided no explanation as to why. (*Id.*)

That same year (in 2002), the report was sent to the Review Board for the Diocese, which indicated that Fr. Anderson died in 1981 and that it was taking no further action:

> The Board was unable to validate this allegation as the information is sketchy. The alleged victim has been very difficult to contact, and no other allegations have surfaced.
>
> We have written back to him each time he has contacted us. [App'x TA#2, Review Board Data Sheet, undated.]

In 2008, Doe1 wrote the Diocese a second time, when reports were made public against Fr. Aloysius Hasenberg, see entry below No. 15, also a priest assigned to St. Agnes Church in Iron River. (App'x TA#3, Letter from Doe1, dated October 31, 2008.) Records indicate that Fr. Anderson was transferred from St. Agnes Church to St. Mary Queen of Peace Church on June 11, 1968, having served at St. Agnes since his appointment on June 27, 1961. (App'x TA#4, Letter from Bishop Thomas Noa, dated June 5, 1961, but unsigned; record of appointments.)

On January 6, 2020, the Department of Attorney General received a letter from the Archdiocese of Detroit that was sent by John Doe2. (App'x TA#5, Letter from Archdiocese of Detroit, dated January 6, 2020, with five-page Allegation Intake Form.) The interviewer receiving the allegation noted Doe2 reported that "he was abused when he was nine by Father Anderson in Kingsford, MI, but [Doe2] doesn't stay on that topic moving instead to the School for the Blind and his relationships there." (See *id.* attachment, p 3.) The interviewer also noted Doe2's next statement: "When [Doe2] became a teenager, he went to a summer retreat. From the age of 14–17 (1974–76) at N. Fox Island. He believes that this camp was

organized by Frank Sheldon and it was called Bay Cliff Health Camp[4] at North Fox Island.[5] Somehow he references Grand Marie Island and Dollar Bay but that's all he's doing. He says that [at the camp] they [the campers] were shown pornography, given wine to drink and that he was penetrated sexually, and made to perform fellatio on the men who were [p]riests, lawyers, doctors, senators, and Congressmen. He states and can name many of the children who were there and who were later taken by the Oakland County child killer."[6] (*Id.*)

[4] Bay Cliff Health Camp is a camp for people with disabilities located in Big Bay, in Marquette County, Michigan. https://baycliff.org/ (Last accessed October 26, 2022.)

[5] North Fox Island is an uninhabited island in Lake Michigan near the Leelanau Peninsula in Leelanau County, Michigan. https://en.wikipedia.org/wiki/Fox_Islands_(Lake_Michigan) (Last accessed October 26, 2022.)

[6] All are elements of a conspiracy theory from 1977 related to the "Oakland County Child Killer" and North Fox Island. See https://crimejunkiepodcast.com/conspiracy-north-fox-island-the-oakland-county-child-killer-part-1/. (Last accessed October 26, 2022) and see https://en.wikipedia.org/wiki/Oakland_County_Child_Killer. (Last accessed October 26, 2022.)

(3) FR. EMIL BEYER

Died in 2003.

On October 29, 1997, John Doe3 called the Diocese to report a claim of sexual abuse by Fr. Emil Beyer. (App'x EB#1, Report with dates from October 29, 1997, through November 17, 1997, with handwritten notes, p 1.) Doe3 was placed in Holy Family Orphanage in Marquette in 1944 after the death of his father. (*Id.*) Doe3 lived in the orphanage from 1944–1956, leaving when he was fourteen years old. (*Id.*) He reported that he was sexually abused by Fr. Beyer until he left. (*Id.*) Doe3 indicated that as he got older, he attempted to fight Fr. Beyer off and classified the assaults as "rape." (*Id.*) Doe3 reported that he never told anyone of the sexual abuse except his wife, but he did not share details with her. (*Id.*) For years, he said he thought he was the only person sexually abused until he attended a family reunion, and he explained that he learned that two of his family members were also abused. (*Id.*) Doe3 was one of seven children and two of the last to leave the orphanage. (*Id.*)

The Holy Family Orphanage opened in Marquette in 1915 and was in operation until its closure in 1965.[7]

On October 30, 1997, the day after receiving the report on October 29, 1997, the diocesan officials note they met with Fr. Beyer when he was 85 years old, more than 40 years after the allegations, and concluded as follows:

> [Fr. Beyer] convincingly denied the allegations and says the man is lying. He recalls the family and their name. [App'x EB#1, Report, pp 2, 3.]

On November 3, 1997, Bishop James Garland met with Doe3 and his wife for nearly two hours. They discussed compensation, which Doe3 requested to help sexually abused children, and counseling, which Doe3 declined. (App'x EB#1, p 4.)

The records further indicated the Diocese followed up with the family. From a phone conversation with Doe3's brother, Doe4, on November 17, 1997, Doe4 also stated that he was sexually abused by Fr. Beyer, this memory having come from flashbacks. (See App'x EB#1, Report, p 5) ("The [c]ounselor put him under hypnosis where he revealed the sexual abuse . . . He does not have memory of but a few events at the orphanage and nothing of the sexual abuse. He knows the abuse only because the [t]herapist told him that he said so under hypnosis.") According to a sister, Doe4 told her that he received counseling but did "not want to pursue the matter but let it die." (*Id.* at p 3.) She also said that Doe4, too, believed he was the

[7] See https://en.wikipedia.org/wiki/Holy_Family_Orphanage (Last accessed October 26, 2022).

only one being abused. (*Id.* at p 4.) Doe4 said that Doe3 "learned of Doe4's abuse shortly before the reunion through [a family member]." (*Id.* at p 5.) In speaking with Doe3, the sister stated that he told her that after meeting with Diocesan staff, Doe3 felt "believed and relieved. He has carried this burden for years and now has never felt better for years." (*Id.* at p 3.)

On November 17, 1997, at a meeting of the Diocesan "Assessment Team," the Team determined that "after discussing the matter [it] felt that the story [of Doe3] was believable." (App'x EB#3, Assessment Team Meeting Minutes, dated November 17, 1997.) Also, the Team determined that Fr. Beyer be sent to the St. Luke Institute for "counseling" and noted "[t]he priest's faculties may also be removed." (*Id.*) The Team determined more follow up should occur with the victim and counseling would be offered at diocesan expense. (*Id.*)

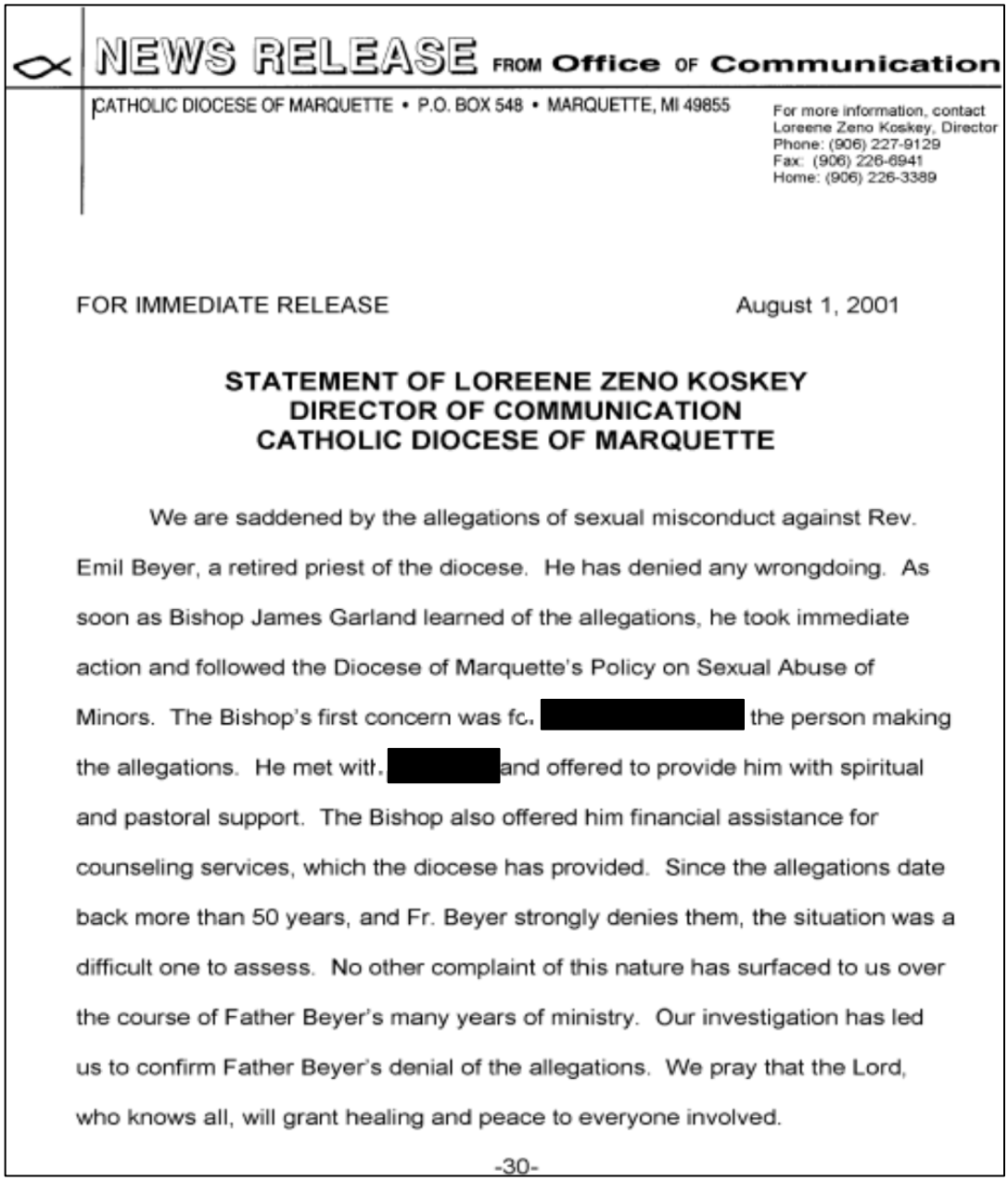
In a letter dated December 8, 1997, Bishop James Garland indicated to Doe3 that he found his allegation "possibly well founded according to our policy." (App'x EB#2, Letter from Bishop James Garland to Doe3, dated December 8, 1997, p 1.)

In Bishop Garland's December 8, 1997 letter, Doe3 was told that Fr. Beyer was not allowed to have any contact with minors, that he was to obtain a health evaluation, and that his faculties for priestly ministry were restricted from all public ministry except to concelebrate Mass with the other priests in the Home for the Aged where he was living. (App'x EB#2, Bishop's Letter, p 2.) Fr. Beyer was also allowed to administer the sacraments for the dying when no other priest was available. (*Id.*) Counseling services were offered, to which Doe3 availed himself. (*Id.*)

In a letter dated December 30, 1997, Bishop Garland informed Fr. Beyer that he rescinded the November 21, 1997 precept, and thus "all restrictions on your ministry are removed." (App'x EB#4, Letter of Bishop Garland to Fr. Beyer, dated December 30, 1997.) The letter indicated that this determination was consistent with the recommendations from St. Luke Institute that arose from Fr. Beyer's counseling. (*Id.*) Bishop Garland also indicated that the "rescindment of the Precept" was to remain "confidential" due to "possible negative reactions detrimental to you and the Diocese by those making the allegations." (*Id.*) He also apologized to Fr. Beyer for the "pain and embarrassment" that the allegations caused. (*Id.*)

In October 2000, the attorney for Doe3, John Burcham, sent a letter to the Diocese, identifying eleven names, eight women and three men, who might have information about Fr. Beyer's "inappropriate behavior" related to the claims that Fr. Beyer engaged in the "sexual molestation" of young boys at the orphanage. (App'x EB#5, Letter from Burcham to Darrell Dettmann, dated October 26, 2000.)

On August 1, 2001, after negotiations to reach a settlement between Burcham and the Diocese stalled, the Diocesan Director of Communications made the following public statement:



NEWS RELEASE FROM Office OF Communication

CATHOLIC DIOCESE OF MARQUETTE • P.O. BOX 548 • MARQUETTE, MI 49855

For more information, contact
Loreene Zeno Koskey, Director
Phone: (906) 227-9129
Fax: (906) 226-6941
Home: (906) 226-3389

FOR IMMEDIATE RELEASE August 1, 2001

STATEMENT OF LOREENE ZENO KOSKEY
DIRECTOR OF COMMUNICATION
CATHOLIC DIOCESE OF MARQUETTE

We are saddened by the allegations of sexual misconduct against Rev. Emil Beyer, a retired priest of the diocese. He has denied any wrongdoing. As soon as Bishop James Garland learned of the allegations, he took immediate action and followed the Diocese of Marquette's Policy on Sexual Abuse of Minors. The Bishop's first concern was fc. [redacted] the person making the allegations. He met witl. [redacted] and offered to provide him with spiritual and pastoral support. The Bishop also offered him financial assistance for counseling services, which the diocese has provided. Since the allegations date back more than 50 years, and Fr. Beyer strongly denies them, the situation was a difficult one to assess. No other complaint of this nature has surfaced to us over the course of Father Beyer's many years of ministry. Our investigation has led us to confirm Father Beyer's denial of the allegations. We pray that the Lord, who knows all, will grant healing and peace to everyone involved.

-30-

(App'x EB#6, Diocesan Press Statement, dated Aug 1, 2001.) The central point of the statement provided as follows:

> No other complaint of this nature has surfaced to us over the course of Father Beyer's many years of ministry. Our investigation has led us to confirm Father Beyer's denial of the allegations. [*Id.*]

The statement did not address the accusation levelled against Fr. Beyer by the brother of Doe3, Doe4, which was known to the Diocese. (*Id.*) The press release names the complainant and indicates that his claim was unsubstantiated. (*Id.*) The public statement does not address the report of 11 additional people who may have had information related to the allegations of Fr. Beyer's sexual abuse of minor boys.

In 2002, Doe3 filed a lawsuit against the Diocese, which was dismissed as violating the statute of limitations. (App'x EB#7, Letter from Bishop Garland to the Congregation of the Doctrine of the Faith, dated December 2, 2002.)

Also, in a letter dated December 2, 2002, Bishop James Garland wrote to the Congregation for the Doctrine of the Faith in Rome in response to a petition that Doe3 filed against Fr. Beyer, indicating that the diocesan investigation "led us to confirm Father Beyer's denial of the allegations." (App'x EB#7, Letter from Bishop Garland to the Congregation of the Doctrine of the Faith, dated December 2, 2002.) In a letter dated February 15, 2003, the Congregation informed Bishop Garland that it was "disposed to take note" of the Diocese's investigation in which it "confirm[ed] the denial of the allegation" by Doe3. (App'x EB#8, Letter from the Congregation of the Doctrine of the Faith, dated February 15, 2002.)

(4) FR. JOSEPH CARNE
(LISTED ON DIOCESE AND BISHOP ACCOUNTABILITY SITE.)

Died May 13, 2019.

Removed from priestly ministry in 2002.

On April 24, 1985, Bishop Mark Schmitt apparently received a letter from a woman stating, "3 yrs [a]go my son was being given first confession instruction by Fr. Joe Carne. It was during a lesson in the rectory that Carne did the following to my son. He would place his arm around my son, put his hand on his upper thigh. He told my son his parents didn't really care for him or love him. My son was 9 at the time. My son didn't reveal this incident to me [un]til last fall when he was ill." (App'x JC#1, "History Concerning Allegations of Sexual Misconduct by Rev. Carne," author and creation date unknown, p 1.) The woman said the family left the parish shortly after the above incident "because of the numerous problems and even without knowing of the incident," the woman "had a sense that Carne was attracted to her son." (*Id.*) The woman ended: "I trust that this information be kept confidential between you and I. Please do not contact me." (*Id.*) Reportedly, the woman contacted the Michigan State Police regarding the allegation, but the "boy was afraid to talk about it." (App'x JC#1, p 8.)

In March 1995, a complaint issued against Fr. Carne alleging sexual misconduct with a Michigan Technological University student pertaining to sexual involvement at his cabin. (App'x JC#1, p 2.) The following was contained in the notes about the allegation:

> Sexual involvement at his cabin. Sauna, naked, massage and oral sex (Fr. Carne said by the boy on him. He tried to reciprocate but found it disgusting). Fr. Carne pointed out most of the blame on the student for initiating and pushing for contact and sexual activity. Some 'phone sex'. There were sexually obscene phone calls made from St. Ignatius Rectory to the answering machine of their home, directed to the boy.
>
> Isaac Ray Center (Chicago) assessment: Fr. Carne abused by an older brother sexually at age 9 and by a priest at age 12. [App'x JC#1, p 1.]1

In March of 2002, John Doe5 reported to the Diocese that he had been sexually abused by Fr. Carne from July 1975 to August 1976 when he was 16–17 years old. (App'x JC#2, Doe5's narrative description of his experiences with Fr. Carne, p 1.) Doe5 says he attended St. Michael Church and school until 6th grade. (App'x JC#2,

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[1] Although there was no name connected to the above note about the sauna incident, it may be connected to incidents reported by both John Doe4 and his parents. See pp 14, 16 below.

p 1.) According to him, when he was 16, he sought Fr. Carne out for counseling and guidance regarding sexual experiences with his then 18-year-old girlfriend. (App'x JC#2, p 1.) He explained that, after one such spiritual guidance session, Fr. Carne invited Doe5 to his apartment in the rectory at St. Michael's, where he then showed Doe5 copies of Penthouse magazine while talking to him about masturbation. (*Id.*, p 2.) Doe5 recounted their discussion about masturbation, during which Fr. Carne told him it was natural and all men did it, including himself. (*Id.*) Doe5 said they drank wine and he felt "special" for receiving this attention. (*Id.*) Doe5 remembers Fr. Carne telling him he "should not tell anyone about those times together, because they might be misunderstood." (*Id.*)

As a part of his report in March 2002, Doe5 said that during the summer of 1976, Fr. Carne took him to the Villa St. Joseph, a cottage that was owned by St. Michael's. (App'x JC#2, p 2.)

Doe5 went on to explain that the two ended up naked in the sauna with Fr. Carne giving Doe5 a massage while Doe5 laid naked on his stomach. (*Id.*) According to Doe5, Fr. Carne used lotion and spent a long time rubbing Doe5's buttocks. (*Id.*) Doe5 stated that when he (Doe5) rolled over, Fr. Carne was semi-erect. (*Id.*) Doe5 recounted being "frightened and shocked" and having simply frozen. (*Id.*) He also said that in the days, weeks, and years that followed the event in the sauna, he had recurring dreams of Fr. Carne performing oral sex on him, although he is not sure whether this actually happened and he repressed it. (*Id.*, p 3.) Doe5 told no one until he told his wife in 1997. (*Id.*) Doe5 stated that, in the aftermath, he cut all ties with Fr. Carne and quit going to church. (*Id.*)

On April 6, 2002, the Diocese informed parish leaders and staff at St. Sebastian Parish in Bessemer that Fr. Carne "had resigned as pastor" and was "on a health leave of absence from active priestly ministry." (App'x JC#3, Public statement from Diocesan Dir. of Communication Loreene Zeno Koskey.) According to the Dioceses' public statement, "These actions follow an allegation of sexual activity arising from the early years of Father Carne's service as a priest." (*Id.*)

On April 13, 2002, a former diocesan staffer, was interviewed by Fr. Alexander Sample. (App'x JC#1, p 6.) She reported that Fr. Carne took advantage of her family's vulnerability. (*Id.*) She proceeded to recount some relevant history. She explained that her 17-year-old son had accidentally shot and killed her 14-year-old son. (*Id.*) She said that Fr. Carne began counseling the 17-year-old and provided him open access to the liquor cabinet. (*Id.*, p 7.) According to the former staffer, Fr. Carne would hug her too long, making her uncomfortable. (*Id.*, p 8.) She said her son also told her that Fr. Carne tried to forcibly kiss her 16 to 17-year- old daughter during her confession. (*Id.*) She explained that when the older son eventually moved into his own place, Fr. Carne would often "hang out" there, which bothered the son. (*Id.*) At a certain point, the son apparently told his mother that Fr. Carne

would not be a problem for him because he had told Fr. Carne, "If you ever touch me again, I'll deck you." (*Id*.)

Also from this interview on April 13, 2002, she says that during the time of her employment she witnessed many things done by Fr. Carne. (App'x JC#1, p 7.)

According to her, Fr. Carne told her, "What goes on in the rectory is confidential" and "she was never to talk about it." (*Id*.) The former staffer reported that boys often came to the rectory and Fr. Carne would supply them with alcohol. (*Id*.) She further explained that usually it was individual boys, but sometimes in groups of 2 or 3, and sometimes they would stay overnight. (*Id*.) She said these boys were often foster children who were "troubled." (*Id*.) She added that Fr. Carne would tell the foster parents he had a right to do this because he was the local priest, and he was their pastor. (*Id*.) She stated that one mother confided to her that she did not know how to stop Fr. Carne since he was using his authority as a priest. (*Id*.) The former staffer says this was reported to the Department of Health and Human Services, and apparently Fr. Carne was not allowed to have further contact with the foster boys. (*Id*. at 8.) She indicated that Fr. Carne threatened her if she spoke about what was going on in the rectory. (*Id*.) She also reported that Fr. Carne had asked one teenager if he had been circumcised, and the teenager, being afraid Fr. Carne would ask to see it, left in fear. (*Id*.) She also talked about an eight-year-old boy who had been in Fr. Carne's First Holy Communion class; she explained that after an individual meeting with Fr. Carne in connection with the Holy Communion preparation, the boy was afraid of Fr. Carne. (*Id*.) She continued to explain that several years later the boy told his parents that Fr. Carne had put his hand on the boy's thigh, left it here, and told him his parents did not love him but that he (Fr. Carne) loved him and that he could come to the rectory whenever he wanted. (*Id*.) (Note: This appears to refer to the April 24, 1985 letter to Bishop Schmitt referenced above.)

The former staffer indicated that she relayed all this information to Bishop Schmitt in 1981–82 and believed he would take action. (App'x JC#1, p 9.) She said that there were several meetings and she reported what she knew, but Fr. Carne rallied supporters to stand by him. (*Id*.) A "fact-finding committee" met on November 4, 1982, and held a hearing, talking to parishioners who were critical of Fr. Carne, parishioners who were supportive of Fr. Carne, and Fr. Carne himself. (App'x JC#4, Bishop Schmitt February 8, 1983 memorandum.) The committee determined that Fr. Carne was not "totally at fault in the situation" and should remain pastor but was "in need of psychiatric help." (*Id*.) Bishop Schmitt communicated these findings and recommendation to "the people of Rockland and Doe20" and indicated that he did not receive any negative comments. (App'x JC#3.) Fr. Carne began psychiatric counseling. (App'x JC#4.)

On April 24, 2002, another mother reported to her priest that her sons were sexually abused from 1976–78 while Fr. Carne was Associate Pastor at St. Anne's in

Escanaba. (App'x JC#1, p 11.) She indicated that since there was no father around or "male role model" involved in her boys' lives, she thought Fr. Carne would be a "good influence on her sons." (*Id.*) But much later, with the news of Fr. Carne's departure from the parish in Bessemer, she said her son told her that Fr. Carne was a "bad priest and a bad man." (*Id.*) According to her, her son explained that when he was 11 to 13 years of age, Fr. Carne took him to his cottage in Dollar Bay and fondled his bare genitals while giving instructions on sexuality. (*Id.*) She also said her second son told her that when he was between the ages of 14 and 16, Fr. Carne was showing him parts of the penis and touched his genitals. (*Id.*) And she said her third son told her that when he was between the ages of 12 and 14, Fr. Carne gave him a backrub. (*Id.*) The mother of these boys told Father Sample that Fr. Carne was " 'famous' for the sauna experiences with minor boys." (*Id.*)

On July 18, 2002, a precept was issued that restricted Fr. Carne from any contact with Doe5 and his mother and members of the family. (App'x JC#5, Precept dated July 18, 2002, p 1.) The precept also obligated Fr. Carne to refrain from public priestly ministry, from all contact with college fraternities, and from "presenting himself publicly as a priest in any way." (*Id.*) The precept indicated that Fr. Carne had "engaged in immoral sexual activities with minors that violate the obligations of clerical celibacy" and caused scandal among the faithful. (*Id.*, pp 1–2.)

On December 3, 2002, John Doe6 sent Bishop Garland an email indicating he wanted to discuss sexual abuse he had suffered at the hands of one of the Diocese's priests. (App'x JC#1, p 4.) Fr. Sample followed up with Doe6. (*Id.*) Fr. Sample's report stated that, according to Doe6, he was a student at Michigan Technological University from the fall of 1989 until the spring of 1993 and was about 19 when he met Fr. Carne. (*Id.*) He explained that he had pledged a fraternity to which Fr. Carne was fraternity advisor and indicated that Fr. Carne "took advantage" of the young men in the fraternity, often inviting them in small groups to his cottage at Dollar Bay and supplying them with alcohol. (*Id.*) Doe6 said they would have dinner and go in the sauna—with their swim trunks on. (*Id.*) But Doe6 further explained that, at one point, Fr. Carne invited Doe6 over by himself, supplied him with beer, which Doe6 says "lowered his inhibitions," and they both went into the sauna naked. (*Id.*) Doe6's visits to the cottage became regular. (*Id.*) According to Doe6, they would "wash each other in the sauna," "began touching each other sexually," and "would give each other massages." (*Id.*) Doe6 said that eventually they had "mutual oral sex." (*Id.*) He said this greatly affected how he developed psycho-sexually—that it "screwed up" his life and temporarily destroyed his faith. (*Id.*) Also noted in the report: "[Doe6] intimated that when his parents brought the complaint to the Diocese, all the Diocese did was move Fr. C. to Bessemer. Fr. Sample told [Doe6] that more followed his move to Bessemer – other action was taken." (*Id.*)

On April 28, 2004, Debbie Gardiner went to Fr. Marcotte regarding Fr. Carne's continued involvement with the fraternity brothers at Michigan Technological

University. (App'x JC#6, Notes from telephone conversation between Gardiner and Fr. Alexander Sample.) Gardiner explained that her nephew was a member of Beta Sigma Phi fraternity and that Fr. Carne had invited him and other members of the fraternity to his home for Easter dinner. (*Id.*) She said they had a ham dinner and were invited to come back during the summer to jet ski. (*Id.*) Gardiner was concerned that Fr. Carne continued to represent himself as "Father," in violation of the restrictions that has been placed on him. (*Id.*)

On May 24, 2004, Fr. Alexander Sample and Steve Lynott, MSW, Clergy Support Services, met with Fr. Carne, and Fr. Carne "did admit to the violation of his precept." (App'x JC#7, May 24, 2004 email from Fr. Sample to Bishop Garland.) At that meeting, Fr. Carne requested that he be allowed to celebrate Mass with his family, including the children of his brothers/sisters, as there no longer were any minor children in the family. (*Id.*) On December 21, 2004, Bishop Garland wrote to Fr. Carne's brother indicating that Fr. Carne was now allowed to celebrate Mass with his "brothers, their spouses and their sons and daughters." (App'x JC#8, Letter dated December 21, 2004, from Bishop Garland to Fr. Carne.)

On January 7, 2005, "Tom" emailed St. Michael's Church indicating that he was a former member of Beta Sigma Theta at Michigan Technological University. (App'x JC#9, Email dated January 7, 2005 email from Tom to St. Michael parish.) In his email, Tom asked if Fr. Carne was "allowed to have contact with the students" because "if he's not, please make it clear to him." (*Id.*) Fr. Sample printed the email January 12, 2005, and mailed it to Fr. Carne with a handwritten note stating: "I trust you are fully abiding by your precept in this regard. This truly is for your own good." (*Id.*)

On June 11, 2012, Bishop Sample assured Fr. Carne and his family that Fr. Carne could have his funeral Mass at Fr. Carne's home parish, St. Ignatius Loyola in Houghton, Michigan—an exception to the policy that "no 'chartered' priest could be buried from a parish where he had served." (App'x JC#10, June 11, 2012 Memo to File re: Fr. Carne.) It was noted that the exception was made "because St. Ignatius is his home parish and it means a great deal to his family." (*Id.*) Furthermore, it was noted that the "allegations do not stem from his time of service at St. Ignatius." (*Id.*)

In July of 2013, a woman apparently reported to her priest, Fr. Ryan, that while in high school she went to camp where Fr. Carne was present. (App'x JC#11, Memo from Fr. Ryan to Kevin Branson, Director of Ministry Personnel and Counsel to the Diocesan Administrator, p 1.) She said Fr. Carne made sexual comments to many of the teens, both boys and girls. (*Id.*) She recounted that, while at camp, she walked into a room one evening and found Fr. Carne and some of the boys "having sex with themselves." (*Id.*) Father Ryan presumed this meant she witnessed them masturbating, although he did not ask her to go into further detail. (*Id.*)

She said that in 2007 or 2008 she told this to the Diocese of Marquette and was interviewed by Rosalind Groves, the diocesan contact person for sexual abuse cases. (*Id.*) At that time, according to her, she was assured that counseling would be paid for by the Diocese. (*Id.*) However, she said that by the time she requested counseling, Groves no longer worked for the Diocese, she was told there was no record of her conversation with Groves, and that no counseling services would be provided. (*Id.*, pp 1–2.) The file notes indicate that Fr. Ryan believed her and, in a conversation he had with Kevin Branson, Director of Ministry Personnel and Counsel to the Diocesan Administrator in 2013, asked the Diocese of Marquette to pay for her counseling. (*Id.*, p 2.)

On July 18, 2013, diocesan staff met with Marquette Prosecuting Attorney Matt Weise to discuss the alleged camp incident involving Fr. Carne. (App'x JC#12, Email dated July 22, 2013, from Branson to Prosecutor Wiese.) No charges were issued against Fr. Carne (*id.*), likely because the actions were outside the statute of limitations. During this time, the statute of limitations was only six years for charges to be filed against a criminal defendant for sexual criminal conduct.

On February 3, 2014, Fr. Carne reported to Stephen Lynott, during a personal visit, that Michigan Technological University fraternity students sometimes helped him "with chores around his house," with one even staying the night to help him recover from heart surgery. (App'x, JC#13, Lynott notes to Fr. Carne file.) Fr. Carne also reported that he heard confessions of Michigan Technological University students when they requested it of him. (*Id.*) When asked whether he heard these confessions at his house, he apparently responded that he heard the confessions "in his car." (*Id.*) Knowing this was against his precept, Fr. Carne indicated "he was old enough he did not care what Marquette was telling him to do." (*Id.*) He further indicated that "his pension could not be taken away" as "it was guaranteed," and that he didn't care if he was laicized. (*Id.*)

On November 3, 2016, Bishop Garland updated Fr. Carne's precept and included additional restrictions. (App'x JC#16, Precept.)

Fr. Carne indicated he had been sexually abused by Fr. Hale (see entry below No. 12.) (App'x JC#14, Review Board Data Sheet on Hale.)

Digital document review located a letter to Mr. and Mrs. John Doe7 from Bishop Doerfler dated September 11, 2018, indicating, "I have received your prayer request card, and I wish to assure you of my prayers for healing. I am saddened to hear that you were sexually abused by Joseph Carne. On behalf of the Church, please accept my apology. I would like to extend an offer to meet with me, and I pledge to listen to you with an open heart. In addition, I wish to offer you counseling, if that would be helpful for you." (App'x JC#15, Letter dated September 11, 2018, from Bishop Doerfler to Doe7, p 2.)

In a letter dated March 19, 2026, the diocesan legal counsel informed the Department of an allegation from John Doe91 that occurred from many years earlier while Fr. Carne was pastor of St. Ignatius in Houghton:

> [John Doe91] described that Fr. Carne would "tickle me from time to time as a young boy and then as a teenager, but it never escalated to a sexual kind of contact. I want to make that clear."
>
> He went on to describe how, as a teenager during the sacrament of confession, Fr. Carne propositioned him (the priest "asked me in confession about doing some things with him") and threatened to disclose "highly embarrassing things" stated in confession to coerce him into sexual activity. Later, when he was in high school and started dating a girl, Fr. Carne would approach him and "ask me about which base we were getting to and it annoyed me greatly and felt threatening." He learned Fr. Carne disclosed aspects of his confession to others outside the confessional, in violation of the sacramental seal, and "made subtle threats to tell my parents things about me if I didn't do what he wanted." What he wanted, said the writer, was "to get me into a homosexual relationship, which I didn't appreciate." The man requested help to renew his Catholic faith because his memories of Fr. Carne were a "wound that isn't healing."
>
> [App'x JC#16, Letter from diocesan legal counsel to the Department of Attorney General, dated March 19, 2026, pp 1–2.]

The letter indicated that Bishop John Doerfler responded by "apologizing for the way Fr. Carne had treated him and offered to meet with the man to assist." (*Id.* at 2.) Diocesan legal counsel later reported Bishop Doerfler did meet with John Doe91. Also, the Diocese noted that "[t]his report regarding Fr. Carne aligns with the time frame of his assignment at St. Ignatius Parish and other reports of similar behavior." (*Id.*)

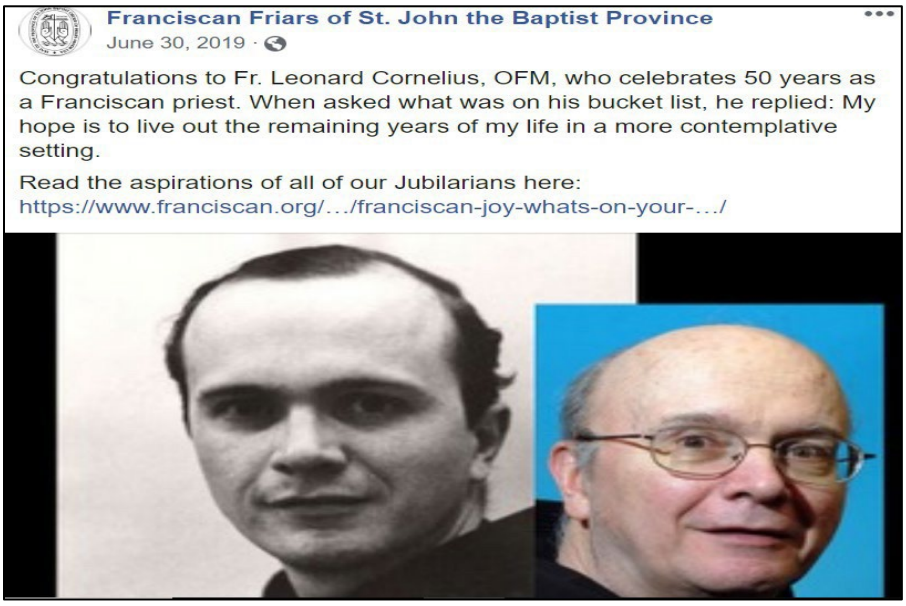
(5) FR. LEONARD CORNELIUS, OFM—*ACTIVE MINISTRY*

Fr. Cornelius is presumed to be alive and working in active ministry in the Archeparchy of Pittsburgh.

The information comes from an undated Diocese of Marquette Review Board Data Sheet. It indicates the following: "sexual arousal [unintelligible] 16-year-old male." (App'x LC#1.) Under remarks, it states the following:

> Fr. Cornelius was chaplain at the Carmelite Monastery in Iron Mountain when the abuse, which happened in the 80's, was revealed. The Franciscans removed him from ministry, got treatment and placed him in a different assignment out of our Diocese. [App'x LC#1.]

There is no reported victim name nor a date the information was received to the Diocese. Fr. Cornelius celebrated his 50th year in ministry in June 2019.[9]



As of October 1, 2022, he is listed as a "homilist" for the Byzantine Catholic Church in Pittsburgh.[10]

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[9] https://www.facebook.com/Franciscanfriars/posts/congratulations-to-fr-leonard-cornelius-ofm-who-celebrates-50-years-as-a-francis/2848902545126787/ (Last accessed October 26, 2022).

[10] See https://www.archpitt.org/organizer/rev-leonard- cornelius-ofm-homilist/ (Last accessed October 26, 2022.)

(6) FR. RICHARD T. CRAIG
(LISTED ON DIOCESE AND BISHOP ACCOUNTABILITY SITE.)

Alive.

Removed from priestly ministry in 1993.

On leave of absence from all priestly ministry status from the Diocese.

According to a hand-written internal review conducted by the Diocese in 1994, a twelve-year old boy, John Doe8, was referred to Catholic Social Services for counseling by his grandparents in April 1991 because of "behavioral problems." (App'x RC#1, Internal Review, undated document, p 1.) This document further indicated that on June 4, 1991, Doe8 was interviewed by Gerald Wiater, M.A., who was concerned because the "boy reveal[ed] that he has been sleeping in same bed as Fr. Craig" and that he had gone on fall and winter "overnight camping trips" with him. (*Id.*) According to the internal review, Wiater informed Bishop Mark Schmitt of these allegations of "questionable behavior" and, on June 10, 1991, the bishop asked Fr. Craig to meet with Wiater for counseling. (*Id.*)

During Fr. Craig's interview with Wiater on June 10, 1991, the internal review document recorded that Fr. Craig revealed "damaging information" and the following day, June 11, 1991, agreed to waive confidentiality. (App'x RC#1, p 1; RC#2, Letter from Fr. Craig waiving his right to confidentiality.) On June 12, 1991, Catholic Social Services then informed Child Protective Services of Fr. Craig's conduct. (App'x RC#1, p 2.)

On June 13, 1991, Wiater met with the diocesan "sex abuse team" including Bishop Schmitt, and the internal review report indicated that he informed them that Fr. Craig made the following admissions regarding Doe8:

1. Gave Zimas to the boy;
2. Toweled off the boy after baths;
3. Slept in the same bed as the boy;
4. Kissed the boy on the lips and hugged him in bed;
5. Has the boy refer to him as "Daddy";
6. Talked about other teens that he was close to in the past.
7. Had no other sexual contact with the boy – "never sexually touched him."

[App'x RC#1, p 2.] The "sex abuse team" decided Fr. Craig would be sent to St. Luke Institute for assessment, and file notes indicate Fr. Craig was at St. Luke's June 16–21, 1991. (App'x RC#1, pp 2–3.)

On June 13, 1991, Catholic Social Services referred the matter to law enforcement (*id.* at 3), but the prosecutor's investigation was closed without criminal charges. (App'x RC#3, Letter from Gregor MacGregor to diocesan attorney John Weber, dated August 23, 1991) ("prosecutor's office has concluded its investigation.").

On June 26, 1991, Fr. Craig requested a leave of absence from the Diocese for "personal reasons." (App'x RC#4, Letter from Fr. Craig, dated June 26, 1991.) Bishop Schmitt granted the leave of absence for an indefinite period of time, "effective immediately." (App'x RC#5, Letter from Bishop Schmitt, dated June 26, 1991.)

On September 17, 1991, Fr. Craig was admitted to Rogers Memorial Hospital for further treatment, which continued through October 30, 1991. (App'x RC#1, p 3.)

On October 31, 1991, after Fr. Craig's discharge from the hospital, Bishop Schmitt sent a letter to Fr. Craig, asking for three separate commitments during his period of "medical leave": (1) no contact with the Doe8 family; (2) "no contact whatsoever with children"; and (3) reside in the Marygrove Retreat Center in Garden, Michigan during the medical leave. (App'x RC#6, Letter to Fr. Craig, dated October 31, 1991, and signed by Fr. Craig agreeing to the conditions outlined in the letter.)

In January 1992 and July 1992, Fr. Craig attended aftercare treatment sessions at St. Barnabas Center in Wisconsin. (App'x RC#1, pp 6–7.)

In December 1992, according to the internal review report, the Diocese learned from a published newspaper report that Fr. Craig did not follow the order of his commitment by planning to celebrate the funeral Mass for a member of the Doe8 family with whom he was not to have contact and that Fr. Craig did in fact spend time with the family at their home following the funeral. (App'x RC#1, p 8.)

Fr. Craig was also a chaplain in the Air Force Reserves. In 1992, Bishop Schmitt requested he resign because of the "recommendations of the treatment centers." (App'x RC#7, Letter from Bishop Schmitt to Fr. Craig, dated November 10, 1992.)

On September 2, 1993, based on additional information that the sex abuse team learned about Doe8, i.e., that Doe8 stated that "Craig touched him on penis during camping trip," the internal review report indicated that it "unanimously" recommended that "Craig be asked to resign." (App'x RC#1, pp 8–9.)

On September 4, 1993, according to the internal review report, Bishop James Garland met with Fr. Craig to ask for his resignation and agreement to laicization. (App'x RC#1, p 9.) On September 7, 1993, the successor to Bishop Schmitt, Bishop

James Garland wrote him a letter memorializing their September 4, 1993 meeting, "placing [him] on a leave of absence from active priestly ministry for a period of two months" and asking him to resign from the priesthood and seek laicization. (App'x RC#8, Letter to Fr. Craig dated September 7, 1993.) On September 20, 1993, Fr. Craig responded to this letter, in which he claimed his innocence ("[t]here has been no immoral or criminal action on my part"), relying on the fact that there were no criminal charges brought against him. (App'x RC#9, Letter to Bishop Garland, dated September 20, 1993.)

On September 27, 1993, Bishop Garland sent a reply to Fr. Craig, indicating that because he did not "accept my action as justified," that he would issue a "penal precept." (App'x RC#10, Letter to Fr. Craig dated September 27, 1993.) In that precept, Bishop Garland admonished Fr. Craig "to avoid any contact with minors" and "to refrain from all exercise of priestly ministry and from publicly identifying himself as a priest" under threat of "immediate suspension." (App'x RC#11, Precept, dated September 27, 1993.)

On May 10, 2018, Bishop John Doerfler wrote to Fr. Craig, inviting him to seek voluntary laicization. (App'x RC#12, Letter from Bishop Doerfler to Fr. Craig.) The letter also informed him the Diocese now listed him among those priests for whom there is a substantiated claim of sexual misconduct with a minor. (*Id.*)

(7) FR. TIMOTHY DESROCHERS

Died January 2, 2020.

Removed from priestly ministry in 2007.

On October 2, 2003, John Doe9 was a man in his 20s who reported to Fr. Alexander Sample and Fr. Ben Paris that as an adult, when he went to confession, Fr. Timothy Desrochers had hugged and "massaged his buttocks" during confession. (App'x TD#1, Minutes of October 2, 2003 meeting, p 2.) According to the minutes of the meeting, Doe9 was "very upset" by this, and Doe9 said that Fr. Desrochers told him he was sorry and that "there had been others" and that it was his "struggle as well." (*Id.*) Doe9 indicated at that time that he had not gone to confession since the assault and "never will." (*Id.*)

On October 10, 2003, Fr. Alexander Sample confronted Fr. Desrochers with the accusation, and Fr. Desrochers "flatly denied" the claim. (*Id.* at 3.) On November 11, 2003, Fr. Sample informed Doe9 of Fr. Desrochers' denial, making clear that the claim had not been "substantiat[ed]," and he also indicated that a separate allegation against another priest could not be substantiated because he was deceased, but that the Diocese would agree to pay for Doe9's counseling with regard to that claim by giving him "the benefit of the doubt." (*Id.* at 4.)

On July 8, 2007, the Diocese received an email containing five nude photos of Fr. Desrochers, which had been posted to silverdaddies.com, a website designed to facilitate liaisons between older men seeking younger men. (App'x TD#2, Minutes of July 16, 2007 meeting with Fr. Desrochers, p 1.) The pictures appeared to have been taken during an extended annual vacation to Puerto Rico. When confronted with the photographs and website, Fr. Desrochers did not deny that the pictures were of him but claimed to have been framed or set up. Fr. Desrochers did admit to posting the photographs, but his reasoning was that it was normal and "not a big deal." (*Id.*)

By way of letter dated July 17, 2007, Bishop Sample issued a precept dated July 16, 2007, to Fr. Desrochers restricting his exercise of priestly ministry based on his conduct related to the website and the nude pictures. (App'x TD#3, Letter to Fr. Desrochers from Bishop Sample, dated July 17, 2007; App'x TD#4, Decree of Singular Precept, dated July 16, 2007.) The precept directed him "[t]o cease until further notice any priestly ministry" among other limitations. (App'x TD#4, Precept.)

In October 2011, Bishop Sample wrote to Fr. Desrochers that information had come to him in May 2010 from the sheriff of Schoolcraft County in regard to "your inappropriate and scandalous behavior and relationship with a prisoner housed

there at the jail." (App'x TD#5, Letter to Fr. Desrochers from Bishop Sample dated October 17, 2011.)

In the October 2011 letter, Bishop Sample indicated he had in his possession a recording of a phone conversation between Fr. Desrochers and the prisoner. (*Id.*) The prisoner had entered a guilty plea but wanted Fr. Desrochers' help at the sentencing hearing, hoping for a more lenient sentence. (*Id.*) According to the letter, Fr. Desrochers asked the inmate, "Well what's it worth to you" and then suggests, "A few blow jobs?" and the prisoner agreed to "quite a few." (*Id.*) A copy of the recording was provided to the Diocese.

Fr. Desrochers remained a priest without faculties until his death on January 2, 2020.

(8) FR. THOMAS DUNLEAVY

Died on January 30, 2002.

On April 22, 2002, Jane Doe2 wrote to the Diocese reporting that she was molested by Fr. Thomas Dunleavy while she was attending St. Joseph's Elementary School in Sault Ste. Marie in the early 1950s. (App'x TDU#1, Letter to Diocese.) While in the 6th or 7th grade, she played the organ for the choir and sang. (*Id.*) In her letter, she stated that Fr. Dunleavy assaulted her at the bottom of the stairs going to the choir approximately three or four times. (*Id.*) When she reported the assaults to the nun who was the principal, after realizing two other girls her age told her that they had been sexually abused, she said that they were interviewed separately. (*Id.*) According to the letter, they were all interviewed a second time by a priest, who was also assigned to St. Joseph Church. The letter then stated that Fr. Thomas Dunleavy was "suddenly transferred." (*Id.*)

In April 2002, Bishop Garland wrote to Doe2 and indicated:

> I have no personal knowledge that these occurrences happened nor is there any evidence in our files that any incidents similar to those you mentioned occurred. [App'x TDU#2, Bishop Garland's Letter, dated April 25, 2002.]

On July 1, 2002, Jane Doe3 called the Diocese and reported that she and her sister were sexually abused by Fr. Thomas Dunleavy in the 1960s while attending St. Williams Parish in Menominee. (App'x TDU#3, "Allegation of Sexual Abuse," dated July 1, 2002.) The report indicated that they were ages 11 and 14. (*Id.*) She indicated the sexual abuse occurred in the sacristy, the basement, the rectory, and the school. (*Id.*) According to this allegation, Fr. Dunleavy would come to the home requesting "help." (*Id.*) The priest who recorded this allegation confirmed that "I have personal memories of this family . . . and [Doe3's] mother and father." (*Id.*) Doe3 said that they were made to go to the rectory by their mother. (*Id.*) When she returned, she said her mother asked if anything had happened and made her promise to never tell her father "out of fear that he would attempt to kill Father Dunleavy." (*Id.*) The report indicated that she said that her mother protected the girls from that point on. (*Id.*) In the 1980s, she said that disclosed the sexual abuse to a priest of the Diocese, who she said told her to "forget about it." (*Id.*) Doe3 indicated that the priest said he told Bishop Schmitt about the sexual abuse. (*Id.*)

The diocesan records confirm that Fr. Dunleavy served at St. Joseph's Church in Sault Ste Marie and requested a change in September 1954 based on the recommendations of his physician needing a lighter workload. (App'x TDU#4, Letter from Bishop to Fr. Thomas Dunleavy, dated September 23, 1954, but unsigned.) According to this letter, Fr. Dunleavy was transferred to St. Williams

parish in Menominee effective October 5, 1954 (*id.* at 2), which coincides as a matter of timing with the reports by both women of abuse.

On October 22, 2018, Jane Doe4 called the tip line to report her sexual abuse by Fr. Thomas Dunleavy. (App'x TDU#5, Tip Line # 168, #442.) On May 15, 2022, she again called. *Id.* She reported that she attended St. William's Parish in Menominee and Marinette Catholic Central School in Wisconsin. She said that in 8th grade, she was sexually abused by Fr. Thomas Dunleavy, in Menominee. She stated that the sexual abuse occurred in the late 1960s. (*Id.*) According to this tip, when in 8th grade, the caller went to Fr. Dunleavy's house, "who hugged [her] tightly with very red face," and "hands behind." (*Id.*) She said that her sister was also sexually abused at the rectory, with Fr. Dunleavy placing his "hands in [the] wrong places." (*Id.*) She said that Fr. Dunleavy was shortly thereafter transferred to Bark River. (*Id.*) She said that she first reported to church authorities in Peoria, Illinois in the 1990s. (*Id.*)

(9) FR. GINO FERRARO

Died 1976.

On April 15, 2008, Stephen Lynott received a report of sexual abuse of Jane Doe5 from a third party, stating she disclosed that she had been "molested (fondled) by my parish priest from the time I was eight until about 17 years old." (App'x GF#1, Jane Doe5 application to EMI dated April 15, 2008, essay attachment, p 1.) The report did not name the priest. (App'x GF#2, undated, handwritten note to Lynott.) Apparently, Doe5 was living in Nadeau and attended St. Bruno's Parish during the late 1950s and early 1960s. (*Id.*) At the time, Lynott followed up with Bishop Alexander Sample via email, telling the Bishop that he had spoken with Doe5 and that she was "very coherent and logical." (App'x GF#3, May 9, 2008 email from Lynott to Bishop Sample.) Lynott said Doe5 told him that there were others in her hometown who had been sexually abused as well. (*Id.*) Lynott also recounted that Doe5 said she first told Fr. Raymond Hoefgen (see entry No. 17 below) in confession about the sexual abuse. (*Id.*) According to Doe5, Fr. Hoefgen's response was, "oh, no, Fr. Gino would never have done that." (*Id.*) Doe5 said she then told another priest, who said, "that couldn't have happened." (*Id.*) She indicated she later talked to a third priest at Marygrove, and he said that there was not anything in Fr. Gino's file that would support her claim. (*Id.*) Doe5 said that this priest said he would get her some materials (Lynott theorized that perhaps he might have meant reporting guidelines) but "did not follow through." (*Id.*) Lynott sent her the diocesan reporting guidelines and offered to meet with her. (*Id.*)

In this 2008 report, Doe5 provided additional details in a written narrative of her memories. She remembered that he was "very intimate and loving" to her "in the dark of the confessional." (App'x GF#4, May 2, 2008 "Memories of Gino S. Ferraro" by Doe5, p 1.) While on a three-day trip to Houghton with him and others, she also stated that she "vaguely remember[ed] him touching my breasts and saying something about how I was 'developing.' " (*Id.*) And she remembered that when she went on car trips with him and others, she always had to "sit right next to him in the front seat" while he drove, and he would touch her knees and thighs. (*Id.*) She described how he "loved luxury and the best for himself. He got a new fancy big car every year. He smoked cigarettes and his fingers on his right hand were yellow, the right hand that molested me while he was driving." (*Id.*, p 3.) Lynott emailed Doe5, indicating he would be taking her report before the Review Board. (App'x GF#5, May 22, 2005 email from Lynott to Doe5.) There is a Review Board Data Sheet indicating, "victim seeks no assistance or damages." (App'x GF#6, Review Board Data Sheet.)

On September 8, 2008, Bishop Alexander Sample wrote the following to Doe5:

> I would like to begin with an apology for the difficulties you encountered when first attempting to report your allegations of

childhood sexual abuse by one of our now deceased priests. Having said that, please know that the Diocese of Marquette maintains its offer to provide you with therapeutic counseling services should you request counseling. In addition, if you desire, I would be happy to meet with you to personally apologize and listen to your story. [App'x GF#7, Letter from Bishop Sample dated September 8, 2008, to Doe5.]

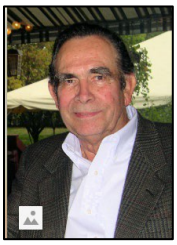
(10) FR. WILBUR GIBBS

Died April 22, 1988.

On April 25, 2002, the spouse of John Doe10, PhD, emailed Bishop James Garland reporting her late husband's disclosure of sexual abuse to her. (App'x WG#1, Email dated April 25, 2002, to Bishop Garland.) She reported that he was a Cuban refugee who had been sponsored by the Diocese of Marquette and housed at an old orphanage in Marquette. (*Id.*) It was her understanding, it was common knowledge amongst her husband and other Cuban refugees that Monsignor Gibbs, who acted as a "houseparent . . . , sexually molested them." (*Id.*) According to the email, Gibbs would ask the boys to expose their penises under the pretense of checking to see if they were circumcised. (*Id.*)

Msgr. Gibbs was assigned to the Holy Family Home in Marquette from June 1958 to January 1964, when he requested a leave of absence. (App'x WG#2, Msgr. Gibbs' List of Assignments.) This date range relates to the spouse's statement to Bishop Garland that she married her husband after graduating from high school in 1964. (App'x WG#1.)

(11) FR. BASIL GOERNER



Died January 12, 2008.

Removed from public ministry in 2002.

Basil Goerner became a priest later in life after having a family. He was ordained in 1993 at age 61.

In 1994, the year after his ordination, Jane Doe7, age 40, reported to the Diocese that before he became a priest, he had sexually abused her when she was 18 in the early 1970s. (App'x BG#1, Notes from March 1, 1994 call from Doe7 to William Richards, p 1.) The was the first time Doe7 reported the sexual abuse to anyone. (*Id.*)

Also in 1994, Doe7 reported that Fr. Goerner had sexually abused Jane Doe8, when Doe8 was 14 years old, also before he became a priest and also in the timeframe of the early 1970s. (*Id.*; App'x BG#1, p 1.)

Fr. Goerner was sent for a complete evaluation at the Servants of the Paraclete, St. Michael's Community, in New Mexico (App'x BG#2, Letter from April 5, 1994, from Servants of the Paraclete to Bishop James Garland, p 1.) After this evaluation, Fr. Goerner began Spiritual Direction with Sr. Jean Junak in Ishpeming. (App'x BG#3, Letter dated May 12, 1994, from Fr. Goerner to Bishop Garland.) Fr. Goerner apologized for the "work and concern I caused you and others involved." (*Id.*)

On May 1, 2002, Fr. Goerner wrote to Bishop Garland indicating he would no longer accept requests for fill-in replacement work "under the circumstances," noting that "[s]uccessful evaluation and/or treatment however will probably no longer suffice under the current level of criticism and distrust." (App'x BG#4, Letter dated May 1, 2002, Fr. Goerner to Bishop Garland.) In the same letter, Fr. Goerner told the Bishop: "I was pleased to see your comment in the UP [upper peninsula of Michigan] Catholic several months ago that there were no priests on assignment in the Diocese against whom there were allegations of abuse." (App'x BG#4.)

As of May 11, 2002, however, Bishop Garland placed Fr. Goerner under a precept that "permitted [him] to celebrate Mass on Sundays in a parish where another priest is present, such that he would not be alone with minors" and to concelebrate

the Diocesan Chrism Mass and the Mass of Christian Burial for priests of the Diocese of Marquette. (App'x BG#5, Precept dated May 11, 2002.)

On May 30, 2002, the May 11, 2002 precept was superseded by a subsequent precept. (App'x BG#8, Letter dated May 30, 2002, from Bishop Garland to Fr. Goerner with accompanying precept dated May 30, 2002.) On May 31, 2002, Fr. Goerner wrote to Bishop Garland with a request to conduct weddings and funerals for family. (App'x BG#6 p 1.) He was granted this exception to the precept. (*Id.*) On the same day, Fr. Goerner wrote a separate letter reminding the Bishop that "my fault of inappropriate female adolescent touching was over 20 years before my ordination" and it occurred "as a married layperson," suggesting that it would not be "fair or accurate" to count his "sin" in statistics "against the ordained celibate priests of the Marquette Diocese or of the United States." (App'x BG#7, Letter dated May 31, 2002, from Fr. Goerner to Bishop Garland.)

On August 11, 2002, Fr. Goerner was removed from all public ministry (App'x BG#9, Letter dated August 12, 2002, from Bishop Garland to Fr. Goerner with accompanying precept dated August 11, 2002.) Bishop Garland explained in the letter that accompanied the precept: "After the approval of the 'Charter for the Protection of Children and Young People' by the U.S. Catholic Bishops, I consulted with our local committee regarding the Charter's application to the situations of sexual abuse involving our clergy. It is our intent to apply the Charter uniformly with fairness and equity to all cases. This now prohibits the exceptions I had specified in the last precept to you. This also recognizes that child sexual abuse likely stems from a disorder which often precipitates additional acts of abuse. Hence, the restrictions in the precept in order to make occasions of sexual abuse remote and to ensure the protection of children." (*Id.*)

(12) FR. MICHAEL HALE

Died 1975.

On August 26, 1955, on letterhead from the Diocese of Marquette, Monsignor Joseph Zryd wrote the following to Bishop Thomas Noa: "I am very sorry to advise you that a complaint has been filed with the police against Father Hale. Apparently, it is a recurrence of his old problem." (App'x MH#1, Letter dated August 26, 1955, from Msgr. Zyrd to Bishop Noa.) The letter did not clearly indicate what the "old problem" was; although the primary focus of the letter was to advise the Bishop about an allegation that Fr. Hale "accost[ed] a hitchhiker," the letter also mentions past automobile accidents. (*Id.*) The letter stated that "according to Father Drengacz and Father Bourgeois, the police will probably hush up the matter, if Father Hale leaves the area." (*Id.*) At that time, Fr. Hale was assigned to the orphanage in Marquette. (App'x MH#1.) A follow-up letter from Fr. Hale to the Bishop mentioned "the charges against me," referring to them as "renew[ing] old sores," tells the Bishop he is "sorry for any scandal I may have caused by any lack of prudence on my part," but also tells the Bishop he was "shocked" to hear the charges against him. (App'x MH#2, Letter from Fr. Hale dated September 24, 1955, to Bishop Noa.)

An undated memo in Fr. Hale's personnel file, which appears to be related to the August 26, 1955 letter, recounts that John Doe11, age 15, from Calumet was hitchhiking when Hale picked him up and told him, "A man gets hot pants once in a while and wants to jack off." (App'x MH#3, Note in Fr. Hale file.) According to the memo, Fr. Hale dropped him at home and asked the child if he wanted to go for a boat ride. (*Id.*) The memo states that the child told Fr. Hale "yes," but that when Fr. Hale drove back the next day for the boat ride, Doe11 said "no." (*Id.*) The memo relates that Doe11 told his parents what happened. (*Id.*) The memo notes that the "parents are not held in very high repute in the community as they are quite heavy drinkers." (*Id.*) It was further noted that no formal complaint was made, nor was there "any record on the police files." (*Id.*)

According to a letter dated March 3, 1965, the parents of two Catholic boys of St. Joseph's parish in Hancock—John Doe12, age 18, and John Doe13, age 16—approached Father Kenneth Bretl concerning what they viewed as inappropriate incidents involving Fr. Hale related to events from 1956. (App'x MH#4, Letter dated March 3,1965 from Fr. Drengacz to Bishop Noa.) After talking with the parents, Fr. Drengacz "put them both under oath" and took their testimony on March 3, 1956. (*Id.*) The boys indicated that they, along with some other boys, went for a number of boat rides with Father Hale, and each time "beer was served." (*Id.*, Attached testimony to March 3, 1956 letter from Fr. Drengacz to Bishop Noa.) Doe13 indicated that, on one such occasion after a boat ride, Fr. Hale propositioned him sexually when Fr. Hale drove Doe13 home and the two were alone. (*Id.*) Doe13 said he rebuffed the advance. (*Id.*) Doe13 recounted a separate occasion where,

when Fr. Hale invited him to the Escanaba fair, the two stayed overnight in a one-bed cabin and slept together. (*Id.*) According to Doe13, Fr. Hale again propositioned him but he again refused. (*Id.*)

Related to this report about the events from 1956, Fr. Drengacz recounted that, according to the boys, on a different occasion Doe13 and another boy, John Doe14, went to the rectory to help Fr. Hale lay linoleum in the kitchen. (App'x MH#4, p 2.) The boys said they each drank approximately seven beers, Fr. Hale told sexy jokes, and they watched television; Fr. Hale then made them coffee and the boys went home around 11:30 p.m. (*Id.*) When this all came out, the parents demanded an explanation. (*Id.*)

In response in 1956, Fr. Hale apparently denied having any boys to the rectory at all. (*Id.*) On March 8, 1956, Fr. Hale wrote the following to Bishop Noa: "I am very sorry to have brought you so much trouble; you have been most kind and considerate to me in the past and I can readily understand how disgusted you must be with me now." (App'x MH#5, Letter dated March 8, 1956, from Fr. Hale to Bishop Noa.)

In 1956, Fr. Hale was sent to Via Coeli, Monastery of the Servants of the Paraclete, in Jemez Springs, New Mexico for treatment. (App'x MH#6, Letter dated March 15, 1956, from Msgr. Robert Chisolm to Fr. Gerald Fitzgerald, sP, Via Coeli; App'x MH#7, Letter dated March 29, 1956, from Fr. Fitzgerald, sP, to Msgr. Chisolm.)

While at Via Coeli, Fr. Hale wrote to Bishop Noa, stating that a "basic factor to account for any past mistakes was my indulging in alcoholic beverages." (App'x MH#8, Letter dated August 8, 1956, from Fr. Hale to Bishop Noa.) Fr. Hale promised to never drink alcohol again, other than the Sacred Species received at Mass. ((App'x MH#9, Fr. Hale pledge.) Shortly thereafter, Fr. Hale was recommended for a return to limited duty and was given a parish assignment—at St. Cecelia's Church in Caspian, Michigan. (App'x MH#10, Letter dated September 1, 1956, from Msgr. Chisolm to Fr. Gerald Fitzgerald, sP.)

By 1968, Fr. Hale had again been accused of sexual impropriety with a minor boy while he was assigned to St. Rita's Church in Trenary. (App'x MH#11, Letter dated May 20, 1968, from Fr. Hale to Bishop Charles Salatka in response to interview with Bishop Salatka.) Fr. Hale claimed that he was the victim of false rumors and jealousy. (*Id.*) On June 21, 1968, Fr. Hale again promised to not use alcoholic beverages as a condition of his appointment as pastor of St. Cecilia's Parish in Hubbell. (App'x MH#12, Letter dated June 21,1968 from Fr. Hale to Bishop Salatka with attached pledge, p 3; App'x MH#13, Letter dated June 24, 1968, from Bishop Salatka to Fr. Hale.)

Apparently in 1972, based on file notes, a father wrote a letter to Bishop Charles Salatka, which referenced "liberties" Fr. Hale had taken with the man's son John

Doe14. (App'x MH#14, Letter from father of Doe14 to Bishop Salatka.) The father of Doe14 let Bishop Salatka know he had told Fr. Hale that he would not report him if Fr. Hale agreed to stop taking young boys to his camp. (*Id.*) The father of Doe14 said he found out that Fr. Hale had continued taking young boys to the camp, and he said the following to Bishop Salatka about Fr. Hale: "the man is sick. I don't want anything to hurt him, but he needs help. He should never have a parish of his own where he can come in contact with boys." (*Id.*)

In December 2004, John Doe16 reported that, while a teenager, he had been sexually abused by Fr. Hale. (App'x MH#19, Review Board Data Sheet.)

In 2004, Fr. Carne (see above entry No. 4 for Fr. Carne) wrote to the bishop, noting the following: "Having been a victim of a priest (Mike Hale) myself I can tell you first hand of the lifelong troubles it caused me." (App'x MH#20, Letter dated December 27, 2004, from Fr. Carne to Bishop James Garland.)

By way of letter sent to the Diocese on May 14, 2007, John Doe17 reported that he had been abused by Father Hale. (App'x MH#21, Letter dated May 14, 2007, from Doe17 to Diocese, pp 1–2; App'x MH#22, Review Board Data Sheet.) Doe17 indicated that, many years ago when he attended Holy Rosary, he interviewed Fr. Hale for an assignment on career study. (App'x MH#21, p 1.) Doe17 said Fr. Hale offered him a job creating a lawn where trees had been removed—a several-day project that led to Doe17 sleeping at the rectory. (*Id.*) According to Doe17, after he went to bed, Fr. Hale climbed into bed with him and started talking and "feeling up" his chest and penis. (*Id.*, p 2.) Doe17 said he turned away but that Fr. Hale continued touching Doe17's penis until he ejaculated. (*Id.*) Doe17 also said Fr. Hale attempted to make him touch his (Fr. Hale's) penis. (*Id.*) Doe17 said that when he would not do so, Fr. Hale masturbated until he ejaculated in the bed next to him and then left. (*Id.*) Doe17 indicated that the next morning he (Doe17) packed up his belongings and walked 12 miles home. (*Id.*) He explained that when he arrived home, his father forced him to return to Fr. Hale's rectory. (*Id.*) Doe17 believes that Fr. Hale recognized his advantage and recounts that he made Doe17 sleep in his (Fr. Hale's) bed that night. (*Id.*) According to Doe17, Fr. Hale touched Doe17's penis and performed fellatio on him. (*Id.*) Doe17 also said that Fr. Hale attempted to force him to perform fellatio on him, but that he refused, although he did he kiss Fr. Hale's penis and masturbated Hale. (*Id.*) Doe17 reported that Fr. Hale drove him home the next morning. (*Id.*)

Apparently in May 2007, the Diocese committed to finding counseling resources and to forward those to Doe17, in addition to paying for this counseling. (MH#23, Letter (unsigned) dated May 21, 2007, from Lynott to Doe17, p 1.) The Diocese also gave Doe17 a pamphlet describing the Diocese's policies and procedures for victim assistance. (*Id.*) Bishop Sample apologized for the "harm done to Doe17 so many years ago." (*Id.*) Stephen Lynott, Director of Ministry Personnel Services, wrote to Doe17 to apologize for "all that transpired because of the immoral and illegal

behavior of . . . Fr. Hale," noted that Fr. Hale was assigned to the parishes within the timeframes Doe17 had mentioned, and said that the diocesan files, although "skimpy and quite old," contained "indirect indicators that point to difficulties in [Fr. Hale's] assignments, although not with any of the detail you were able to provide in your letter." (*Id.*)

On September 27, 2007, Doe17 requested and received a reconciliation meeting with Bishop Alexander Sample and Stephen Lynott, Director of Ministry Personnel. (App'x MH#24, Notes from September 27, 2007 meeting with Doe17, Bishop Sample, Steve Lynott.)

In 2009, in a later correspondence to Doe17, Lynott told him that the "Bishop with his Review Board, find your account and your motivation to be credible, believable, and we choose to accept your version as substantially what happened." (App'x MH#25, Email dated January 23, 2009, from Lynott to Doe17.)

(13) FR. GERALD HARRINGTON

Died 1962.

On March 25, 2019, the attorney for the Diocese, Laura Reilly, informed the Department of Attorney General that Fr. Gerald Harrington (who died in 1962) has a reported victim who was more than 80 years old. No further information was reported by the Diocese.

(14) FR. DONALD HARTMAN
(LISTED ON BISHOP ACCOUNTABILITY SITE.)

Died November 15, 1999.

Removed from public ministry in 1992.

On January 3, 1992, Bishop Mark Schmitt wrote a letter to Fr. Donald Hartman stating that "in view of the recent allegation against you by John Doe18 in regard to sexual abuse, I hereby direct you to enter into an assessment program at Saint Luke Institute in Suitland, Maryland." (App'x DH#1, Letter dated January 3, 1992, from Bishop Schmitt to Doe18.) The letter noted that until the assessment was completed, Fr. Hartman was not to "engage in any public ministry." (*Id.*)

It is unclear whether the Bishop's letter was prompted by a legal complaint filed against Fr. Hartman and Fr. Norbert LaCosse (see entry below, No. 21) in the Dickinson County Circuit Court, but the lawsuit does coincide with Fr. Hartman's leaving priestly ministry. (See App'x DH#2, Amended Complaint filed in Dickinson County Circuit Court on December 19, 1991.) The lawsuit alleged that Fr. Hartman "sexually assaulted" a minor plaintiff (named in the complaint simply as John Doe but identified as a then-12-year-old altar boy at American Martyrs Church) at the Diocesan Retirement Home located in Escanaba. (*Id.*, ¶ 19.)

On March 27, 2002, John Doe19 emailed the Diocese, reporting to Bishop James Garland that Hartman "was pedophilic." (App'x DH#3, Email dated March 27, 2002, from Doe19 to Bishop Garland.) Doe19 stated that he had been an altar boy at St. Ignatius Loyola Parish in St. Ignace during the late 1950s. (*Id.*) The Bishop responded, "I did not know many particulars of Fr. Hartman as he had left active ministry and was living in New York when I came to the Diocese in 1992. . . . If there is anything I can do for you please let me know." (App'x DH#4, Email dated March 27, 2002, from Bishop Garland to Doe19.)

On April 22, 2004, John Doe20 met with Fr. Alexander Sample at St. Charles Borromeo Parish in Rapid River and reported being sexually abused by Fr. Hartman when Fr. Hartman was an associate at St. Michael Parish. (App'x DH#5, Act of the Preliminary Investigation, Interview dated April 22, 2004, with Doe20, p 1.) As Doe20 recounted, Fr. Hartman was a "drinking buddy" of Doe20's father and would take Doe20 and his brothers on outings. (*Id.*) When he was 14 or 15-years old, they arrived back at Doe20's home after seeing a movie when Fr. Hartman told the other boys he needed to talk to Doe20 alone. (*Id.*) Once he was alone with Doe20, Doe20 said that Fr. Hartman began to fondle Doe20 and said something to the effect of "I need this." (*Id.*) Doe20 explained that this progressed to Fr. Hartman performing fellatio on Doe20; Fr. Hartman tried to get Doe20 to touch him but Doe20 refused. (*Id.*) And he said that Fr. Hartman told him not to tell anyone what happened. (*Id.*) Approximately one year later, Doe20 said that Fr.

Hartman sexually abused him again, fondling him and performing fellatio on him. (*Id*., p 2.) In this interview, Doe20 said that he told Fr. Hartman if it happened again, he would disclose the sexual abuse, and that after that, it stopped. (*Id*.) This took place in approximately 1953–54. (*Id*., p 1.)

In this 2004 interview, Doe20 remembered that Fr. Hartman was arrested for sexually abusing young boys while he was working in the Champion, Republic, Michigamme area. (*Id*., p 2.) When that was made public, Doe20 said his father asked all his boys if Fr. Hartman had ever "touched any of them in an abusive way." (*Id*.) They all denied it, fearful that their father would cause Fr. Hartman bodily injury. (*Id*.)

Also in this 2004 interview, Doe20 admitted to never having formally made a complaint against Fr. Hartman until 2004. (*Id,* p 3.) But he said that many times over the years he mentioned the sexual abuse by Fr. Hartman during confessions and was never advised to make a report to the Bishop. (*Id*.) Doe20 reported that he had "a lot of anger toward the Church." (*Id*.) The file indicates that Fr. Alexander Sample, who investigated the allegations, apologized to Doe20 for what happened, advised him that the matter would go before the Diocesan Review Board, and offered counseling. (*Id*.) Doe20 appears not to have been satisfied with these measures. (App'x DH#6, Letter dated February 27, 2006, from Doe20 to Bishop Sample.)

On September 5, 2005, Fr. Alexander Sample received a call from John Doe21 reporting that Fr. Hartman had sexually abused him. (App'x DH#7, Notes from phone call of September 2, 2005, from Doe21 to Fr. Sample.) Doe21 indicated that the abuse occurred during 1960–61 when he attended St. Ignatius Loyola in St. Ignace and was serving as an altar boy, stating that he was abused approximately 2-to-4 times. (*Id*.) Doe21 said was 11 or 12 years old at the time. (*Id*.) Fr. Hartman was apparently associate pastor there at the time. (*Id*.) Doe21 reported that, after Mass, Hartman would isolate him, get him on his lap, and fondle his genitals, which were exposed. (*Id*.) Doe21 said he disclosed the abuse to a cousin, who told Doe21's parents. (*Id*.) The parents apparently confronted Fr. Hartman. (*Id*.) Doe21 said that the pastor at the time, became involved and had him talk to a priest whom Doe21 identified as Fr. Walters. (*Id*.) Shortly after, Doe21 said, Fr. Hartman was moved from the parish. (*Id*.) Doe21 disclosed that he was aware of two other victims who told him of the exact same abuse by Fr. Hartman, but he felt he could not give their names. (*Id*.)

According to a diocesan Review Board Data Sheet, an unknown victim reported that he was sexually abused by Fr. Hartman when the boy was 11 years old and was serving as an altar boy in the 1960s. (App'x DH#8, Review Board Data Sheet.) The Review Board "validated" the allegation as it was "consistent with other reports." (*Id*.) Further it was noted that "the priest is deceased and victim requested no further action." (*Id*.)

On December 6, 2010, John Doe22 was called by the Diocese to discuss possible sexual abuse by Fr. Hartman in 1963 at Sacred Heart Parish in Champion. (App'x DH#9, Note dated December 6, 2010, from Fr. Ronald Browne to Bishop Sample, p 1.) Doe22 recalled that he came into contact with Fr. Hartman at around age 9 or 10 when he began cutting grass and doing other chores at the church and rectory in 1962. (*Id*., p 1.) He recounted that on one such occasion Fr. Hartman took him into the rectory, kissed him on the lips, and then unzipped his own pants and made Doe22 put his hand on Fr. Hartman's penis and masturbate him to ejaculation. (*Id*.) Doe22 said Fr. Hartman took off his [Doe22's] pants and fondled his genitals. (*Id*.) According to Doe22, similar instances occurred over the course of a year, at various locations including in the rectory, in the basement of the church, in the car, and on a beach at camp. (*Id*.) Doe22 said that on one occasion Fr. Hartman attempted anal intercourse, but Doe22 objected. (*Id*.) Doe22 said Fr. Hartman paid him for the chores he did, but also paid him extra money—a $1 or $1.50 extra—when there was sexual abuse. (*Id*.) Doe22 indicated that after the first incident, he did not want to return to the church to continue working, but his mother told him he should because he was getting paid and it was "good money." (*Id*.) Doe22 did not tell his mother about the sexual abuse. (*Id*.)

Also in December 2010, Doe22 reported that in 1963 Fr. Hartman was sexually abusing him in the basement of the church and a woman walked by the window and observed the sexual abuse. (App'x DH#9, p 1.) According to Doe22, the woman recognized him and called his mother, and they reported the sexual abuse to the police. (*Id*.) Doe22 was apparently brought before a judge—not in a courtroom setting but rather in the judge's personal home—and he told the judge what happened. (*Id*.) Doe22 cannot remember talking to the police or even if there was a court reporter present when he told the judge what had happened.) Doe22 reported that after meeting with the judge, Fr. Hartman was moved from the parish. (*Id*., p 2.)

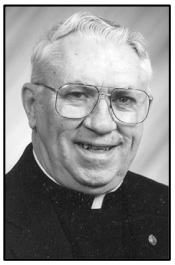
On December 16, 2010, Bishop Sample and Fr. Ronald Browne met with Doe22 and a friend of his at the diocesan office. (App'x DH#10, Addendum to Doe22 file, entry dated December 16, 2010.) The Bishop stated that he had "no reason to doubt [Doe22's'] story and that he was very sorry for what happened." (*Id*.) They discussed providing counseling for Doe22 and also paying for some type of re-training for a new job or work (*id*.), although it is not clear whether either occurred.

On February 9, 2011, the attorney for the Diocese reported Doe22's allegations to Marquette County prosecutor Gary Walker. (App'x DH#12.)

On February 16, 2019, Witness1 emailed the tip line to report that Doe22 was his family member and he was reporting that Fr. Hartman sexually abused his family member when Doe22 was 10 or 11 years old at Champion Catholic Church. (App'x DH#11, tip line entry # 284.) He said the police were involved so there should be a record from Marquette County. (*Id*.) Witness1 also said his family member needs

assistance for the trauma he still deals with today and is interested in counseling but there is very little available in Marquette County. (*Id.*) The Michigan Attorney General Victim Advocate followed up with both the family member and Doe22.

On August 13, 2019, Doe22 called Diocese of Marquette Victim Assistance Coordinator Stephen Lynott to make the allegations again. Lynott noted: "I told him I would inform the Diocese about his allegation, which seems very credible to me, and see if there might be some ways we could help him. I also told him that Bishop Doerfler would be willing to meet with him, and perhaps offer spiritual comfort as well. He liked that." (App'x DH#13, Lynott Notes.)



(15) FR. ALOYSIUS HASENBERG (LISTED ON BISHOP ACCOUNTABILITY SITE.)

Died on January 24, 2016.

He was removed from public ministry in 2008 and permanently removed from ministry on January 25, 2010.

In 1997, while serving as pastor at St. Agnes in Iron River, Bishop James Garland was alerted to rumors that Fr. Hasenberg was inviting men into the rectory for sexual activity in exchange for money. (App'x AH#1, Case history attachment to Letter dated January 24, 2003, from Fr. James Ziminski to St. Luke Institute, p 1.) Fr. Hasenberg admitted to having men into the rectory, but denied that it was for a sexual purpose, instead claiming it was to offer "charity assistance." (*Id.*) Allegedly for reasons of his age at the time (75 years old), Fr. Hasenberg resigned his position at St. Agnes and retired. (*Id.*; App'x AH#2, Letter dated April 16, 1997, from Fr. Hasenberg to Bishop Garland.) He then moved into an empty rectory in Watersmeet. (App'x AH#1, case history, p 1; App'x AH#3, Letter dated April 21, 1997, from Bishop Garland to Fr. Hasenberg.) Fr. Hasenberg was permitted to celebrate daily Mass at Immaculate Conception Parish in Watersmeet and to hear confessions. (App'x AH#4, Agreement dated July 1, 1997, related to housing arrangements and limited ecclesiastical service.)

In December 2002, Fr. Alexander Sample was advised of a criminal investigation that had been referred to the Diocese regarding Fr. Hasenberg. (App'x AH#1, p 1.) The Chief of Police for the Lax Vieux Desert Tribal Police (Watersmeet) called, describing a report made to him by John Doe24, who described a sexual encounter he had with Fr. Hasenberg and characterized it as "rape." (*Id.*) According to the tribal police report, which was provided to Fr. Sample, on December 9, 2002 (*id*; App'x AH#5, Police Report), the complainant left a bar and went to the rectory to get money in exchange for consenting to sexual activity. (App'x AH#1, December 31, 2002 entry.) The complainant was allegedly paid $20 to allow Fr. Hasenberg to touch his buttocks, fondle his penis, rub groins together, and masturbate Doe24 to ejaculation. (*Id.*) Doe24 indicated this had been happening for at least three years, always in the rectory, and that he was always paid between $20–40. (*Id.*)

According to the report to the tribal police from December 2002, Doe24 had previously disclosed the sexual activity to his mental health worker, who provided the police documentation supporting allegations of sexual activity for money dating back to August of 1998. (*Id.*) According to the same report, Doe24 listed four other

men who had the same arrangement with Fr. Hasenberg. (*Id.*) A local police officer named an additional three men rumored to have this same arrangement. (*Id.*) The file notes indicate that the police believed Doe24 to be cognitively impaired, but nevertheless found his allegations to be "substantive and credible." (*Id.*, January 2003 entry.) According to the file notes, the police investigation ultimately deemed the events "consensual" and closed their investigation, notifying the Diocese of the investigation and result. (*Id.*)

Following receipt of the police report, the Diocese conducted its own internal investigation of Father Hasenberg, resulting in a five-page report, dated December 31, 2002. (App'x AH#1). On February 2, 2003, the Diocese sent Fr. Hasenberg to St. Luke Institute in Silver Spring, Maryland, for evaluation and treatment based on these activities with adult men. (*Id.*)

Four years later, on May 25, 2007, then Chief of Police in Marensco Township and the former Police Supervisor/Criminal Investigator for the Federal Indian Reservation at Lac Vieux Desert in Watersmeet, Bruce Mahler, wrote to Bishop Sample and said the following:

> We have never met but I did speak extensively approximately 4–5 years ago when I was the Police Supervisor/Criminal Investigator for the Federal Indian Reservation at Lac Vieux Desert in Watersmeet, MI, regarding an allegation of sexual assault by a retired priest against a developmentally disabled Indian male. At that time I could have charged the priest with solicitation and the Indian male with prostitution. Instead, I referred the matter to the Diocese for resolution. To this day I regret that decision! The resolution was totally inadequate and never resolved the issue with the pour soul who was the Victim. Since that time, I have had some serious issues with this Diocese. [App'x AH#6, Letter dated May 25, 2007, from Mahler to Bishop Sample.]

Apparently in 2002 or 2003 around the same time as the investigation in relation to Doe24 was ongoing, diocesan staff member Steve Lynott reported having lunch with a friend who wished to remain anonymous and did not make a formal complaint but indicated that he was from Iron River and had been an altar server for Fr. Hasenberg. (App'x AH#14, p 2 of January 2003 entry.) This friend told Lynott that Fr. Hasenberg would "touch the boy servers inappropriately about the arms and chest" and "rub against them." (*Id.*)

When confronted by Bishop Garland, Fr. James Ziminski, and Fr. Alexander Sample on December 31, 2002, Fr. Hasenberg denied the allegations by Doe24, but later in the conversation "gradually admitted to the details of the allegation, but not to his responsibility in it." (*Id.*, p 3 of January 2003 entry.) The Diocese's initial assessment was that it "appears likely that these allegations are true because:

- The allegations are identical to past allegations.
- The victim reported the allegation over a long period of time to case workers.
- The new victim does not appear to be associated with the past allegation." [*Id.*]

In April of 2005, John Doe25 reported that he was sexually abused during the winter months of 1948 or 1949 while serving as an altar boy at St. Anne Parish in Menominee. (App'x AH#7, handwritten notes dated April 20, 2005; App'x AH#8, Letter marked "confidential" and unsigned from Lynott to Doe25 dated April 28, 2005, p 1.) Doe25 indicated that the priest would rub up against him until he (the priest) "climaxed." (*Id.*) The Diocese determined that Fr. Hasenberg was one of two priests serving St. Anne's during the time that Doe25 reported being sexually abused. However, Doe25 was unable to identify the abusive priest as Fr. Hasenberg, and file notes indicate that Doe25 thought "the perpetrator had a name of Irish derivation, resembled something like Conner, or O'Conner or O'Connell." (*Id.*) This caused Lynott to conclude, in his letter to Doe25: "You knew of these priests [including Hasenberg] but they did not fit the recall that you have of the incidents. It is possible that a priest from Jordon Seminary may have been filling in on a temporary basis, but we have no way of verifying that." (*Id.*; App'x AH#9, Handwritten notes from Lynott dated May 27, 2009; App'x AH#10, Handwritten file notes, date and author unclear, p 1.) The allegation was reviewed by the diocesan Review Board, which was unable determine that the priest reported by Doe25 was actually Fr. Hasenberg. (App'x AH#11, Review Board Data Sheet.)

In September 2008, a father reported to the Diocese that his son, John Doe23, had been sexually abused by Fr. Aloysius Hasenberg 35-to-40 times while he was serving as an altar boy at St. Agnes in Iron River. (App'x AH#12, Lynott notes regarding abuse report, entry dated September 13, "2009," [sic, 2008].) The Review Board met and determined that the allegation had merit "based on the sincerity and credibility of the family making the allegation" and based on previous reports "we have had of a similar nature with Fr. H, but in that case the victim was an adult." (App'x AH#12, Entry dated September 15, 2008.) The file notes indicate that Fr. Hasenberg was "sent to St. Luke's for that incident [with the adult] and no mention was made by SLI [St. Luke Institute] of possible abuse of minors." (*Id.*)

In October 2008, when Stephen Lynott interviewed Doe23, Doe23 confirmed that he was sexually abused 35-to-40 times between the ages of 9 and 13, usually before or after serving Mass for Fr. Hasenberg and one time at an altar boy picnic. (App'x AH#12, Lynott notes, entry dated October 8, 2008; App'x AH#13, handwritten notes from Lynott dated October 8, 2008, p 1.) Doe23 indicated that Fr. Hasenberg would come up behind him, grab him tightly, lean into him, and "begin rubbing back and forth against him." (*Id.*) Doe23 said he did not have a "clear memory of Fr. H ejaculating because of the multiple robes and vestments he wore." (*Id.*) Doe23

remembered this as having occurred from approximately 1987 until 1991 or 1992. (*Id.*) Stephon Lynott, Ministry Personnel Director, told Doe23 that the Diocese "had a similar story [from 1950 in Menominee, Michigan] but could not verify" it. (*Id.*, p 2.) When confronted, Fr. Hasenberg denied the allegation. (App'x AH#14, Lynott notes dated October 14, 2008, of a call with Doe23's father.)

On October 20, 2008, Bishop Alexander Sample wrote a letter to Doe23 expressing his "heartfelt sorrow over everything you have suffered at the hands of one you were taught to trust." Bishop Sample offered Doe23 counseling and spiritual support provided by the Diocese. (App'x AH 15, Letter dated October 20, 2008, from Bishop Sample to Doe23, p 1.)

An October 27, 2008 diocesan news release stated that Fr. Hasenberg had been temporarily removed from priestly ministry and his residence at the rectory of Immaculate Conception Parish in Watersmeet, where he had been living since his retirement in 1997. (App'x AH#16, News Release, Diocese of Marquette dated October 27, 2008, p 1.) The news release also stated the following:

> After a preliminary investigation and consultation with the Diocesan Review Board for the Protection of Children and Young People, Bishop Sample determined that there is sufficient evidence that sexual abuse of a male minor had occurred. The allegation of sexual misconduct against Father Hasenberg dates back a number of years. [App'x AH#16, p 1.]

The news release also indicated that the bishop had referred the matter to the civil authorities, consistent with the Dioceses' Policy on Sexual misconduct in Ministry. (*Id.*) In a letter dated October 9, 2008, diocesan attorney Darrell Dettmann wrote to Iron County prosecutor Melissa Weston, copied to Gogebic County prosecutor Richard Adams, reporting the allegations. (App'x AH#29, Letter dated October 9, 2008, from Dettmann to Weston.) Bishop Sample also notified the Bishop of Superior, Wisconsin, of the restrictions that had been placed on Fr. Hasenberg – although noting that no guilt had yet been established – since it was known that Fr. Hasenberg had taken up residence in the private home of friends in the Diocese of Superior. (App'x AH#17, Letter dated October 29, 2008, from Bishop Sample to Bishop Christensen.)

In 2009, the report was validated by the Review Board in 2009, and Fr. Hasenberg was removed from all pastoral ministry. (App'x AH#18, Review Board Data Sheet.) The case was ultimately sent to the Congregation for the Doctrine of Faith. (App'x AH#19, Letter from Bishop Sample to Immaculate Conception Parish, Watersmeet; App'x AH#9, Case to the Congregation of the Doctrine of the Faith, submitted by Bishop Sample on December 18, 2008.) On December 11, 2009, after careful review of the materials submitted by the Diocese, the Congregation for Doctrine of Faith directed Bishop Sample to impose disciplinary measures on Fr. Hasenberg, among

them that "Reverend Hasenberg is not allowed to exercise priestly ministry in public." (App'x AH#21, Letter dated December 11, 2009, from the Congregation for the Doctrine of Faith to Bishop Sample.) The Congregation also directed the Bishop to notify the Bishop of Doe20 Green Bay, Wisconsin, where Fr. Hasenberg was then in residence. (*Id.*) By decree and precept dated January 20, 2010, Bishop Sample decreed, among other things, that Fr. Hasenberg was not to exercise any public ministry and was to refrain from public celebration of the Sacraments and public exercise of ecclesiastical ministry, refrain from wearing ecclesiastical/clerical garb, refrain from representing himself as a priest to those unknown to him or as an agent of the Diocese, and refrain from contact with persons under the age of 18. (App'x AH#22, Decree and Precept dated January 20, 2010.) That same day, Fr. Hasenberg sent Bishop Sample a letter stating, "I find it almost impossible to assure you than I am innocent of this accusation." (App'x AH#23, Letter dated October 25, 2010, from Fr. Hasenberg to Bishop Sample.)

In 2010, Fr. Hasenberg appealed the decision of the Congregation in all respects—"the underlying determination that he has done the things of which he has been accused and the restriction of his priestly duties which resulted from this determination." (App'x AH#24, Letter dated January 30, 2010, to Prefect of the Congregation for the Doctrine of Faith from Tara Gill Alfonso, Fr. Hasenberg's canon lawyer.) There is no indication in the file that this appeal was successful.

In July of 2009, Dolly Stafford reported that her son Mike saw Fr. Hasenberg wearing his Roman collar on July 16, 2009, at a restaurant in Iron River, contrary to his precept. (App'x AH#25, Notes from Lynott dated July 21, 2009, regarding call from Stafford.) She also reported that others claimed to have seen him wearing his Roman collar in public in Eagle River, in Land O Lakes, and in Rhinelander. (*Id.*) Stafford was upset because there was a public dinner celebrating Fr. Hasenberg's 60th Jubilee at a restaurant in Land O Lakes and sending out invitations in the mail. (*Id.*) The Diocese was unaware of the event and did not sanction it. (*Id.*; App'x 26, photocopy of invitation.)

Fr. Ronald Browne, Moderator of the Curia for the Diocese, called Dolly Stafford on August 24, 2009, in response to her complaint, and explained that the Diocese has "followed up on what she has reported, and that the Bishop is doing all he can under Church law at this time." (App'x AH#25.) Fr. Browne wrote Fr. Hasenberg notifying him of reports that he had worn his clerical collar in public in various locations. (App'x AH#27, Letter dated August 24, 2009, from Fr. Browne to Fr. Hasenberg.) He reminded Fr. Hasenberg that wearing the clerical collar in public would be a violation of the Precept issued by Bishop Sample concerning Fr. Hasenberg's ministry. (*Id.*)

Fr. Hasenberg denied all the reports of sexual abuse against him until his death in 2016.

(16) FR. TERRENCE HEALY
(LISTED ON DIOCESE AND BISHOP ACCOUNTABILITY SITE.)

Died in January 2019. Removed from public ministry in 1987.

On June 1, 1968, Fr. Terrence Healy was ordained to the priesthood and given his first assignment for the Diocese of Marquette. (App'x TH#1, Appointments since ordination.) By June 20, 1968, Fr. Healy was assigned to Sacred Heart in L'Anse where he remained until July 10, 1969, when he was transferred to St. Joseph's in Sault Ste. Marie. (*Id.*) He transferred again to St. Ignatius Loyola Parish in Houghton and Mission of St. Mary in Atlantic Mine on July 25, 1974. (*Id.*) On November 30, 1977, Fr. Healy was relieved of his duties at Mission of St. Mary. (*Id.*)

In the mid-1970s, Fr. Healy had opened a foster home for boys. (App'x TH#2, Letter dated May 18, 1976 of Gallagher Bassett.) Officials within the Diocese recognized that Fr. Healy went into a substantial amount of personal debt to open and maintain this foster home, which initially was not affiliated with the Church. (App'x TH#3, Memorandum dated January 28, 1977, to Bishop Charles Salatka.) Moreover, the bishop has expressed "surprise at Fr. Healy's ministry with foster children given the fact that he was not to be engaged in that type of work." (App'x TH#4, Memorandum dated February 29, 1988, to Chancellor Fr. John Shiverski.)

On November 21, 1977, Bishop Charles Salatka issued a memorandum regarding a conversation with a psychologist from the House of Affirmation, recommending in-patient treatment for Healy because, among other things, he was "very lonely," "insecure," and "sexually immature." (App'x TH#4, Memorandum dated February 29, 1988, to Chancellor Fr. Shiverski.)

On December 21, 1982, Fr. Healy applied for Incardination in the Diocese of Lansing, which his assignment record at Marquette indicates was "accepted". (App'x TH#1.) On May 7, 1985, he was Excardinated from the Diocese of Marquette. (*Id.*)

In an article dated September 26, 1987, the Detroit Free Press reported that Fr. Healy, who was then the pastor of St. John Catholic Church near Hartland, was charged with four counts of second-degree criminal sexual conduct for sexual abuse against a 15-year-old boy in Livingston County. (App'x TH#5, *Free Press* article dated September 26, 1987.) The paper noted that "Shiawassee County Sheriff Jim LaJoye said the Shiawassee investigation of Father Healy had been referred to the county prosecutor David McClernan for further action." (*Id.*) Fr. Healy was convicted of second-degree CSC and served four-and-a-half years in prison. (Lansing State Journal, *Churches Take Steps to Prevent Sex Abuse,* dated March 8, 2002.)

Fr. Healy was removed from ministry in 1987, and he was laicized in 1992. (App'x TH#1.)

A handwritten note dated September 7, 1990, indicated that Fr. Healy was paid by the Diocese of Marquette:

> [Diocese] paid his salary up until he went to prison – out of Diocese disability plan (self-insured). Continue to set aside $300–350/month during time in prison – putting the money into a reserve account – Fr. Healy draws it out as needed – Nest egg when get outs out. [App'x TH#6, Notes dated September 7, 1990.]

In 1993, Bishop James Garland and Father Peter Oberto met with John Doe26 regarding his report of sexual abuse by Fr. Healy after Doe26 called to describe being sexually abused by Fr. Healy 20 years prior. (App'x TH#7, Handwritten notes dated May 3, 1993; Handwritten notes dated May 24, 1993.) Doe26 reported he was sexually abused at a motel in Marquette after he asked Fr. Healy to counsel him. He was 19 years old at the time. (*Id.*) The Diocese paid for counseling for Doe26, offered an apology from the Church, and told him to encourage his counselor to apprise the Diocese of any additional counseling needed. (*Id.*) He advised Bishop Garland of three additional victims of Fr. Healy's sexual abuse. (App'x TH#8, Letter dated June 4, 1993, from Doe26 to Bishop Garland.)

In June 1996, John Doe27 reported being sexually abused by Fr. Healy when he was an altar boy sometime between June 1968 and July 1969. (App'x TH#9, Case history dated November 7, 2002.) Doe27 said the sexual abuse occurred when he was attending Sacred Heart parish in L'Anse. (*Id.*) In 2000, Doe27 wrote a letter to Bishop Garland expressing the depth of the travesty, that Fr. Healy "took away my innocence":

> He took away my virginity, purity, and normal sexual development. He took away my ability to have normal healthy relationships with girls, and then women. He left me to blame, me to be ashamed. [App'x TH#10, Letter dated September 5, 2000, from Doe27 to Bishop Garland.]

Doe27 wrote that "he stuck a knife in my soul the wound from which I have never recovered." (*Id.*) From May 1999 through October 2002, the Diocese paid counseling bills for Doe27 and his wife related to the sexual abuse perpetrated by Fr. Healy. (App'x TH#9, Case history dated November 7, 2002.) Bishop Garland wrote repeated letters to Doe27 beginning in 1997 apologizing on behalf of the Church and checking in on the progress of Doe27's counseling. (App'x TH#17, Letters dated December 31, 1997, June 12, 2000, September 25, 2000.)

In the 2010s, the Diocese of Lansing received reports on Fr. Healy with further allegations of sexual abuse. A memo from Fr. Ronald Browne dated July 23, 2012, states as follows:

> On July 11, 2012, Msgr Steven Raica, the Chancellor for the Diocese of Lansing [reported] that the Lansing Diocese had received two reports of sexual abuse by Father Terrence Healy (a priest of the Diocese of Marquette); when he was serving in the Lansing Diocese.... On July 23, 2012, I [Fr. Browne] spoke with Msgr. Raica by telephone.... A Mr. [John Doe28] and a Mr. [John Doe29] have told the Lansing Diocese that they were abused by Father Healy when they were minors.... In conversations with Msgr. Raica Terry Healy admits to having had sex with 18 boys, the youngest being 14 years of age.... Terry Healy was removed from priestly ministry in 1985.... Lansing is providing counseling for Mr. [Doe28]. [App'x TH#11, Memorandum dated July 23, 2012.]

Handwritten notes on Fr. Browne's memo corrected the date Fr. Healy was removed from ministry as September 1987. (*Id.*)

The Department of Attorney General received several additional tips from individuals alleging sexual abuse by Fr. Healy:

On October 1, 2019, John Doe30 called the tip line to report his sexual abuse. Doe30 reported that he lived with Fr. Healy while trying to get int: a state funded home for foster children, in 1971–73. (App'x TH#12, tip #582.) According to the caller, many children were abused by Fr. Healy when they were required to reside there for two weeks before moving to the transition housing. (*Id.*) He said that Fr. Healy would "nibble" on their ear, press up against them, and offer the men to sleep with him while naked. (*Id.*)

On October 9, 2019, John Doe31 emailed the tip line to report that he was sexually abused by Fr. Healy when he was in high school. (App'x TH#13, tip #595.)

On September 24, 2018, the Department received an anonymous tip that in the 1980s John Doe32 was a ward of the state living in the Marquette area. (App'x TH#14, tip # 57.) He said he was hitch-hiking and was picked up by Fr. Healy, who molested him in his bed where he forced him to sleep. (*Id.*)

On December 20, 2018, John Doe33 emailed the tip line and indicated that "he was sexually abused by a priest when he was 16 years old in 1976. We lived in Houghton, Michigan. I was put in placement. The priest's name was Terry Heelie." (App'x TH#15, tip #225.)

On April 30th, 2020, Department of the Attorney General Victim Advocate Paul Carbini spoke with John Doe34 who had reached out in September of 2018 to report his experience with Fr. Healy.

> [Doe34] stated that he grew up in a difficult home environment. He had seven brothers and sisters, his mother was a waitress, and his father was an alcoholic who would beat them. [Doe34]'s mother divorced his father, but things were difficult with 8 children to take care of and [Doe34] ended up becoming a ward of the state. Towards the end of 1977, [Doe34] was moved to a boys home in Houghton at the age of 15. This is where [Doe34] met Healy because Healy ran a group home next to the boys' home.
>
> [Doe34] stated that Healy was always trying to befriend the boys. [Doe34] remembers Healy often coming to the boys home to hang out, taking boys for rides in his big car, getting them ice cream, letting them play with his Saint Bernard, and taking them to his house. [Doe34] stated that Healy would often give them gifts, especially if it was when he was trying to get boys to go spend time at his house. [Doe34] stated that Fr. Healy was a very "touchy-feely" guy and made him uncomfortable, but he did like hanging out with the other boys and receiving gifts so he continued to spend time with Fr. Healy.
>
> [Doe34] stated that Healy would touch him in a couple of ways. A common thing Healy would do was to hug [Doe34] very tightly for a long period of time. . . .
>
> The other thing Healy would do to Doe34 was pull him in close by grabbing him from the neck or put him in a headlock. Doe34 stated that during these hugs and tussles Fr. Healy's hands would often touch or grab Doe34's butt, penis, or testicles. [Doe34] stated that it never went beyond this and his hands never went under [Doe34]'s clothes.
>
> [Doe34] stated that while he and other boys would spend the night at Healy's house, [Doe34] never slept in Fr. Healy's bedroom. Doe34 stated that other boys would sleep in Fr. Healy's bedroom with Fr. Healy and would usually become quiet and act very different afterwards.
>
> [Doe34] never told anyone because he felt there wasn't anyone to tell and while the boys didn't talk about it, he had the sense that the other boys knew it was happening and were also experiencing it. [Doe34] stated that he continued to be touched by Healy until [Doe34] was sent to a different home at the end of the summer of 1978. [Doe34] believes the touching altered how he dealt with people; he stated that he began to dislike socializing with people, felt insecure with himself and relationships, and then never finished high school. [App'x TH#16, Interview.]

(17) FR. RAYMOND HOEFGEN
(LISTED ON BISHOP ACCOUNTABILITY SITE.)



Died January 17, 2012.

Removed from all priestly ministry on July 2, 2002, by Bishop James Garland by precept. (App'x RH#1, Precept.)

On July 28, 1994, Bishop James Garland met with Father Peter Oberto, Father Bill Richards, John Weber, Loreen Koskey, Father John Shiverski, and Richard (Rick) Schaefer (Diocesan Director of Administration and Finance) regarding an allegation of sexual abuse against Fr. Raymond Hoefgen. (App'x RH#2, Response Team Minutes.) The minutes stated:

> Discussed an allegation of sexual abuse against Fr. Ray Hoefgen. The incident apparently took place 25 years ago in either Sault Ste. Marie or St. Ignace. The allegation came up during a counseling session with CSS counselor Anne Arthur. Anne Arthur is to be contacted in order to try and obtain a release so that the Bishop can talk to the claimant so that an investigation can be undertaken. The team will meet again when further information is received. [*Id.*]

Also on July 28, 1994, Jane Doe8, reported to Richard (Rick) Schaefer (Diocesan Director of Administration and Finance), that she was then 35 years old and was 8 or 9 years old at the time she was sexually abused. (App'x RH#3, Telephone Conversation Notes.) She explained that Fr. Hoefgen was a friend of the family and would come to the home. (*Id.*) She described that Fr. Hoefgen would wrestle with her and her siblings and during the wrestling, Fr. Hoefgen would slip his hand up her shirt and touch her. (*Id.*) This happened five or six times over less than a year period. (*Id.*) She reported that it also happened to her sister on one occasion. (*Id.*)

Further in this July 1994 conversation, Doe8 explained that a few years prior to the report in 1994, she and her sister disclosed the sexual abuse to their mother, who advised her to forget it because Fr. Hoefgen was out of the area now. (*Id.*) Mr. Schaefer offered to assist Doe8 with her counseling bills, and apologized for what happened to Doe8 and her sister. Mr. Schaefer also told Doe8 to tell her sister to feel free to call him if she too wished to make a report. (*Id.*)

On March 4, 2002, Doe8 sent a letter to Bishop Garland in response to an article he wrote for the U.P. Catholic titled "Child Sexual Abuse and the Church" where he

wrote that "there is no priest known to me who has committed abuse of a minor who is holding assignment in the Diocese of Marquette." (App'x RH#4, Letter dated March 4, 2002.) Doe8 said, "as a victim of child sexual abuse by a priest still holding a pastoral position in this Diocese, I was deeply offended and worse yet, disillusioned once again by the Catholic Church and its response to perpetrators of sexual abuse." (*Id.*)

Bishop Garland wrote a letter back to Doe8, apologizing for his "faulty recollection." (App'x RH#5, Letter dated March 13, 2002.) He told her that Fr. Hoefgen's abuse was "not covered up" but rather "dealt with it directly" by requiring a "psychiatric evaluation" of Fr. Hoefgen and having him spend five months in residential treatment. (*Id.*) Fr. Hoefgen then attended four more continuing care workshops over the course of two years. (*Id.*) Bishop Garland spoke with the therapist and psychologist, who assured him that they found no indication of pedophilia and they saw no reason for restricting his ministry, nor did they consider him a danger to others. (*Id.*)

On April 24, 2002, Jane Doe9, sister to Jane Doe8, emailed the Diocese to report that when she was young, she attended Catholic school in Sault Ste Marie and her devout Catholic mother invited Fr. Hoefgen to dinner. (App'x RH#6.) She reported that she was in the basement family room sitting on the couch next to Fr. Hoefgen. (*Id.*) She remembered she was 11 and still wearing her school uniform of a plaid skirt and white blouse. (*Id.*) She said Fr. Hoefgen unbuttoned her shirt and groped her breasts. (*Id.*) The record began to skip on the record player so she used that as an excuse to slip away from Fr. Hoefgen. (*Id.*) She indicated that two years later she found out that Fr. Hoefgen had sexually abused her then-nine-year-old sister and reported it to their mother. (*Id.*)

On April 29, 2002, Bishop Garland, Fr. Alexander Sample and Stephen Lynott met with Fr. Hoefgen in the bishop's office to discuss Doe8 and Doe9's reports of sexual abuse. (App'x RH#7, Handwritten notes dated April 29, 2002.) They inquired if there were other instances of sexual misconduct. (*Id.*) Fr. Hoefgen responded that he himself had been sexually abused by a priest while attending the seminary. (*Id.*) He confessed as follows:

> [I]n addition to the abuse of the two sisters above, he mentioned their friend, as they did, and touching his niece in the car with her father present. [*Id.*]

It was agreed that he would take a leave of absence to attend St. Luke in Silver Springs, MD on June 2, 2002, for an assessment. (*Id.*)

In April 2002, a Review Board Data Sheet indicates that sisters aged 11 and 9 at the time of the sexual abuse reported they had been sexually assaulted by Fr. Hoefgen. (App'x RH#8, Review Board Data Sheet.) They reported they were

sexually abused in the 1960s in Sault Ste. Marie. (*Id.*) They reported "fondling." (*Id.*) The Review Board "validated" the report. (*Id.*) In response, in 2002 Fr. Hoefgen was removed from all pastoral ministry and placed under a canonical administrative precept by Bishop Garland. (*Id.*) Under remarks, the sheet states, "Fr. Ray admitted to the abuse voluntarily and went to SLI for an evaluation. Out-patient therapy was recommended. Fr. Ray went into retired, senior priest status with the Charter restrictions placed on him." (*Id.*)

In a letter dated June 25, 2002, to Bishop Garland, Fr. Hoefgen offered words of sorrow: "Most of all I am sorry for the hurts I've caused to the victims." (App'x RH#9, Letter dated June 25, 2002.) He concluded by requesting permission to retire from active ministry. (*Id.*)

In July 2002, Fr. Hoefgen at least twice violated the precept issued that he was to abstain from public appearances in parishes where he served and was not to celebrate Mass publicly. (App'x RH#10, Letter dated January 9, 2003, from Bishop Garland to Fr. Hoefgen.) In January 2003, Fr. Hoefgen was warned that if he did not conform his behavior, Bishop Garland would seek further canonical action. (*Id.*)

(18) FR. JOHN HUGHES

Died in 1979.

In a letter dated February 12, 1965, eighteen-year-old John Doe35 wrote to Bishop Thomas Noa. (App'x JH#1, Letter dated February 12, 1965; App'x JH#2, Summary of Meeting on May 30, 2007, with Doe35.) Doe35 referenced having earlier written Bishop Noa a letter detailing the sexual abuse he suffered while a student in Kingsford. (App'x JH#1.)

The sexual abuse reportedly occurred during the late 1950s and 1960s and in Kingsford, at the American Martyrs School and Church. (App'x JH#3, Review Board Data Sheet dated June 17, 2007.) Doe35 indicated that Father Hughes made Doe35 touch him and perform other "sick sex acts." (App'x JH#1.) Doe35 wrote, "How could this happen to me, why has the Lord forsaken me? What did I do wrong to make this happen? Please help me and keep Father Hughes away from other children." (*Id.*) In addition, he wrote, "If I could only stop feeling dirty, guilty of what I did." (*Id.*) There is no evidence that Bishop Noa responded to the letter. In 2007, Doe35 described years later that when Doe35 confronted Bishop Noa in person, Bishop Noa said "he could not have people saying these terrible things about a priest" and "dismissed" Doe35. (App'x JH#2, Summary of Meeting on May 30, 2007, with Doe35.)

In June 2007, Doe35 reached out to the Diocese of LaCrosse in Wisconsin to report his sexual abuse by Fr. Hughes. (App'x JH#4, Letter dated March 9, 2007, from Diocese of La Crosse.) Doe35 was interviewed by the diocesan victim advocate and reported the following:

> The abuse started when he was in fifth grade. He would go to confession. Afterward Hughes asked him to stay and talk. Father would ask [him] about girls, how he felt about girls, what he thought about. Father would hold [him] on his lap and coddle him. He would tell him that he shouldn't be thinking those thoughts. He would tell him he was a bad boy, a dirty boy.
>
> * * *
>
> The suggestive probing conversations went on for about a year, becoming more sexually explicit as time went on. Then the priest started fondling him.
>
> One day [Doe35] confessed a sexual act. After confession he was sitting in a pew. The priest asked him to go to the back of the church. He asked him questions. They talked about masturbating. The priest

> asked him to show him and he did. Father fondled his penis. The abuse escalated as time went on.
>
> One day Father asked him to bend over. He put a candle up his anus. He would drip hot wax on his penis and his butt. He would burn incense to cover up the smell. He would touch him and rub him. It escalated and became more and more perverse. The priest would sodomize [Doe35] and he had [Doe35] sodomize him He said that was enough detail for today. [Doe35] repeated several times over the course of the interview that the abuse was more perverse, but he didn't want to discuss it in any more detail. [App'x JH#2, p 1 (paragraph break added).]

Doe35 stated that the sexual abuse started in fifth grade and continued through his junior year in high school. (App'x JH#2, p 1.)

Upon receiving the letter from Doe35 and the interview with the Diocese of LaCrosse victim advocate, the LaCrosse Diocese reported the sexual abuse to Diocese of Marquette which completed an investigation as described on a Review Board Data Sheet. There were multiple communications between Bishop Sample and Doe35. (App'x JH#4, Review Board Data Sheet.) In one letter by Bishop Sample to Doe35, he stated: "I would like to reiterate my deep dismay and my sincere apology for all that you have suffered. I continue to be especially distressed over the rejection you received when you tried to bring this to Bishop Noa's attention so many years ago. . . . If there were some way that I could make it so that none of this had ever happened to you, I would do it." (App'x JH#5, Letter dated November 24, 2008, from Bishop Sample.) In the letter Bishop Sample apologized, offered to meet, and made an offer of counseling, stating: "Our outreach and counseling services are available to you at diocesan expense, and include professional therapy, pastoral outreach and spiritual direction, as needed and as requested." (*Id.*) The allegation was validated by the Review Board on June 17, 2007. (App'x JH#3.)

(19) FR. GARY JACOBS
(LISTED ON DIOCESE AND BISHOP ACCOUNTABILITY SITE.)



Alive – in MDOC custody, serving concurrent 8-to-15-year sentences for five plea-based convictions of first- and second-degree criminal sexual conduct. His earliest release date is November 16, 2026, and his maximum release date is July 28, 2032.

Removed from priestly ministry in 1989. Laicized in 2010.

In 2020, Fr. Francis Dobrzenski testified he found Polaroid photographs of Fr. Jacobs giving and receiving oral sex from John Doe36, and a nude picture of John Doe37. (App'x GJ#7, Supplemental Police Report dated November 29, 2019, p 2.) He found the pictures in 1982 when Fr. Dobrzenski was looking through Jacobs' belongings in the rectory in Ewen. (*Id.*) The boys were approximately 11 and 14. (App'x GJ#8, Police report dated December 13, 2019, p 2; App'x GJ#9, Supplement police report dated December 16, 2019, pp 1–2.) He did not report the photographs until 1988 after Fr. Jacobs was placed on leave and sent for treatment for alcohol abuse. (App'x GJ#1, Notification Packet, dated July 15, 2004, p 5.)

After Fr. Dobrzenski's report was made to the Diocese in 1988, the same year Fr. Jacobs resigned from the pastorate at Immaculate Conception Church in Iron Mountain. (App'x GJ#1, p 4.) The Diocese sent Jacobs for evaluation and treatment at Servants of the Paraclete in Jemez Springs, New Mexico. (*Id.*) A letter dated June 20, 1989, by Bishop Schmitt to Jacobs indicated the status of Jacobs' leave in New Mexico was for him to have a "year of discernment as a leave of absence in which you were to live as a lay person." (App'x GJ#10, Letter from Mark Schmitt to Gary Jacobs, dated June 20, 1989, p 1.)

In 1990, Bishop Schmitt asked Fr. Jacobs to seek voluntary laicization and he did not. (App'x GJ#1, p 4.)

In a letter dated June 22, 1990, Bishop Schmitt ordered Jacobs: "In regard to your request for a three year extension of your leave of absence for further discernment, I am fully in accord with that request . . . As your Bishop, I order you not to function as a priest in any public capacity or present yourself as a priest in any way including dress. This instruction to you is to remain in effect indefinitely unless rescinded in writing by the Bishop of Marquette." (App'x GJ#11, Letter from Mark Schmitt to Gary Jacobs, dated June 22, 1990.)

Jacobs never responded to this letter, and he never returned from New Mexico. (App'x GJ#1, p 9.) The Diocese considered Jacobs to have "abandoned priestly ministry" and designated Jacobs "absent without leave". (*Id*., p 4.)

In 2004, the Diocese petitioned the Congregation for the Doctrine of the Faith in Rome to dismiss Jacobs from the clerical state (laicization), which was granted in August 2010. (App'x GJ#12, Letter from Luis Ladaria to Alexander King, dated August.)

Criminal charges were brought against Jacobs for the abuse of Doe36 and Doe37 in Ewen, Michigan. Jacobs pleaded guilty to one count each of first-degree criminal conduct in these cases. Fr. Dobrzenski testified at the preliminary examination for the charges issued for assaults against John Doe38.

Jacobs was charged with criminal sexual conduct in the second degree for sexual assaults against Doe38.

Received eight tips related to sexual abuse included here:

February 27, 2019 – A family member called the tip line to report that her brother was sexually abused in Iron Mountain. (App'x GJ#2, tip 350) The alleged abusing priest, Fr. Gary Jacobs, was defrocked. (*Id.*) She wanted advice on how to help her brother. (*Id.*) Fr. Jacobs reportedly sexually abused her brother in the 1970s and Fr. Jacobs was not defrocked until 2010. (*Id.*) A police report was generated related to this tip. John Doe38 was actually sexually abused in the 1980s and as a result of this tip, Jacobs was charged criminally, pleaded guilty, and was convicted of one count of second-degree criminal sexual conduct for the sexual abuse to Doe38 in Iron Mountain. (Dickinson Cir Ct No 20-5839-FH.)

January 21, 2020 – John Doe40 called to report he was sexually abused by Fr. Jacobs. (App'x GJ#2, tip #655.) Following an investigation, Jacobs was charged and bound over, and pleaded guilty to one count of second-degree criminal sexual conduct for his sexual abuse of Doe 40. (Ontonagon Cir Ct No 20-14-FH.)

January 21, 2020 – John Doe41 called to report he was sexually abused by Fr. Jacobs on several occasions in Escanaba and in Ewen. (App'x GJ#2, tip #654.) Following an investigation, Jacobs was charged and bound over, and pleaded guilty to one count of first-degree criminal sexual conduct for his sexual abuse of Doe 41. (Ontonagon Cir Ct No 20-13-FH.)

January 22, 2020 – A man emailed the tip line and reported the following: "Fr Gary Jacobs molested two of my classmates in 1977 in 7th grade. [John Doe42] and [John Doe43]. [Doe43] is now deceased, but his brother [John Doe44] was a witness to the crime." During this investigation, Doe44 was interviewed by Det. Sgt. Bracket, and he indicated he was sexually abused during 1974–78. (App'x GJ#4,

Police Report, dated June 1, 2020, pp 1–2.) This sexual abuse reported by Doe44 was outside the statute of limitations and could not be charged criminally. The statute of limitations at that time was only six years. Other cases that occurred in later years were able to be charged because when Jacobs left the state of Michigan, his leaving tolled the statute and allowed charges to be brought against him.

Doe44 was able to speak at sentencing and tell the court how Fr. Jacobs' sexual abuse impacted him.

January 22, 2020 – John Doe45 called the tip line to report the following: While Doe45 was getting ready to serve as an altar boy, Fr. Gary Jacobs called him over and "smoothed my front." (App'x GJ#2, tip #651.) Doe45 told him to stop, threw the robe at him and never went back to a Catholic Church. (*Id.*) Doe45's brother is John Doe46 (below). Doe45 told a nun right away, and she said a "man of God would never do that." (*Id.*) Doe45 confirmed Fr. Jacobs rubbed his genitals over the clothes. (*Id.*)

A police interview was conducted by Det. Lt. Croley. (App'x GJ#5, Police Report, dated March 3, 2020, p 2.) On March 3, 2020, Croley interviewed John Doe45 via telephone regarding Jacobs. (*Id.*) Doe45 reported the following to Lt. Croley in the interview:

> [Doe45] stated that he attended the Dickinson Area Catholic School located in Iron Mountain during grade school. [Doe45] said that he was 11 or 12 years old when the sexual abuse occurred. [Doe45] said it was in 1977 or 1978[, but] he was unsure on the exact date and time. [Doe45] said that the sexual abuse happened and shortly after that is when Father Jacobs left the Iron Mountain area. [Doe45] said that he was an altar boy at the St. Mary & St. Joseph Church located in Iron Mountain during that time. On the day that it occurred, Father Jacobs was the priest for that Mass. The sexual abuse occurred one time between Father Jacobs and him.
>
> [Doe45] said that one day before Mass, Father Jacobs and he were getting ready in the backroom/side room of the church. [Doe45] said that it was the room that altar boys got their robes on before Mass. [Doe45] said that they were alone in the room. [Doe45] put his robe and belt/rope on, and Father Jacobs said, "Come here, you're all crooked." [Doe45] went by Father Jacobs and Father Jacobs tried to fix his robe/belt. Father Jacobs began to swipe or rub [Doe45]'s genitals. [Doe45] said that Father Jacobs rubbed his genitals three times. [Doe45] knew what Father Jacobs was doing was wrong. [Doe45] took off his robe and then left the room. [Doe45] stated that he told [a nun] (principal) and she said, "Father Jacobs would not do that, he is a man of God." [*Id.*]

January 22, 2020 – John Doe46 emailed the tip line to report being sexually abused by Fr. Jacobs. (App'x GJ#2, tip #650.) A police interview was conducted, and he indicated the following:

> [Doe46] stated that he was a victim of Father Gary Jacobs in 1975. [Doe46] stated that he ([Doe46]) attended the Dickinson Area Catholic School located in Iron Mountain from his kindergarten year to his eighth-grade year. In sixth, seventh, and eighth grade, one of the requirements while attending the school was being an altar boy at the St. Mary and St. Joseph Church located in Iron Mountain.
>
> [Doe46] recalled one day in 1975, when he was 11–12 years old, he was an altar boy at the St. Mary and St. Joseph Church. Father Jacobs was the priest at Mass that day. Father Jacobs was the "fill-in priest/under priest" for that church. [Doe46] stated that Father James Donnelly was the main priest at that time, but he was not at Mass that day.
>
> Once Mass was over, everyone left the church except for Father Jacobs and him. Father Jacobs asked [Doe46] to go upstairs into the balcony with him. The balcony was located at the back of the church that overlooked the front of the church. Once they were up in the balcony, [Doe46] said that they were facing each other. All of the sudden, Father Jacobs unzipped [Doe46]'s pants and began to masturbate [Doe46]. Father Jacobs was fully clothed at the time and used his hand to masturbate [Doe46]. Once [Doe46] ejaculated, Father Jacobs wiped his hand off and wiped [Doe46]'s penis off. [Doe46] said that he went home and never told anyone.
>
> [Doe46] said that it happened only that one time, Father Jacobs did not attempt to sexually abuse him again. Before the incident, [Doe46] stated that Father Jacobs was a "touchy-feely" kind of priest.

January 23, 2020 – Doe47 called the tip line to report his sexual abuse by Fr. Jacobs. (App'x GJ#2, tip #653.) He reported that when he was around 16 or 17 years old (maybe older), he had an experience with Fr. Gary Jacobs in Ewen before the Sacred Heart Church in Ewen was remodeled during the summer. (*Id.*) Fr. Jacobs said he could not raise his hands over his head; Doe47 said "ok," and Jacobs said he needed his hair washed. Doe47 agreed, "no big deal." (*Id.*) They went into the bathroom, and Doe47 reported that Fr. Jacobs said Doe47 needed to take off his clothes and get in the shower with him to wash his hair. (*Id.*) Doe47 refused, and, as Doe47 explained, Fr. Jacobs stripped down naked, Doe47 washed his hair and left. (*Id.*) Doe47 reported that another time, Fr. Jacobs locked the gate to his yard, and they needed to get something from the church. (*Id.*) Fr. Jacobs allegedly put a towel on and explained he had to suntan naked because of a "rash on his butt." (*Id.*)

He would reportedly always invite young boys over to watch HBO movies and record VHS tapes and exchange tapes. (*Id.*) They were rated "R" and Doe47 thought this was inappropriate. (*Id.*) Fr. Jacobs always dressed in blue jeans and button- ups; it was rare to see him in the Catholic collar. (*Id.*)

A police interview was conducted on April 16, 2020. (App'x GJ#6, Police Report, dated April 16, 2020, pp 2–3.) Lt. Croley interviewed Doe47 via telephone. (*Id.*, p 2.) Doe47 gave the following statements:

> [Doe47] stated that while he grew up, he was an altar boy at the Sacred Heart Parish located in Ewen. [Doe47] stated that he was approximately 10 years old when he was an altar boy. [Doe47] stated that he was never sexual[ly] abused by Father Jacobs, but he believed that Father Jacobs was grooming him or trying to sexually abuse him. [Doe47] did not have an exact age, he said 17,18, or 19 years old the above incidents occurred. It was between 1980 and 1984.
>
> [Doe47] said that Father Jacobs did get naked in the tub when he wanted his hair washed. Father Jacobs wanted [Doe47] to also get naked and take a shower with him. [Doe47] said "No." [Doe47] did help Father Jacobs wash his hair and then he left.
>
> On another occasion, [Doe47] went to the church and noticed Father Jacobs sun tanning naked behind the Ewen church. Father Jacobs was in a fenced in area. Father Jacobs asked [Doe47] to put suntan lotion on his back. [Doe47] did, and then Father Jacobs asked [Doe47] to put suntan lotion on his legs and butt. [Doe47] said "No" and left.
>
> If Father Jacobs put his hand on [Doe47]'s shoulder, [Doe47] would push it off. Father Jacobs would ask [Doe47] to sleep over and said they could watch movies, but [Doe47] never would.
>
> [Doe47] stated on one occasion Father Jacobs had [Doe47] sit on an antique tripod chair. Father Jacobs said that it was used for birthing children, and it spreads a person's legs apart. While [Doe47] was sitting on the chair, Father Jacobs put his hand on his shoulder. [Doe47] knocked Father Jacob's hand off his shoulder.
>
> [Doe47] said that he "outsmarted" or was too tough of a kid to fall for Father Jacobs tricks. [Doe47] said that he did not know the exact amount of times Father Jacobs attempted to groom [Doe47]. [Doe47] said that he did not know of anyone else being victimized by Father Jacobs during that time period. [Doe47] recalls Father Jacobs had several "R" rated movies and GQ magazines around the rectory. [*Id.*, pp 2–3.]

February 7, 2020 – A father called to report that his son was "raped" by Jacobs in 1987 when he was 17. (App'x GJ#2, tip #657.) The father had previously reported the assault to the Diocese when he learned it had occurred. (*Id.*) Follow-up was conducted where his son indicated he was not raped but that the sex was consensual.

(20) FR. ROY JOSEPH
(LISTED ON BISHOP ACCOUNTABILITY SITE.)

Alive – living in India – Criminally charged – Awaiting Extradition.

Redacted.

(21) FR. NORBERT LACOSSE
(LISTED ON BISHOP ACCOUNTABILITY SITE.)



Died on July 14, 2014.

Removed from public ministry on July 24, 1990.

On July 23, 1990, Fr. Charles Strelick (see entry No. 40) received a phone call from attorney Jeff Paupore regarding an allegation of sexual abuse by of John Doe48 by Fr. Norbert LaCosse. (App'x NL#1, Undated document from the "Diocesan Pedophilia Team," p 1.) According to this report, the attorney and the Doe48's family decided to attempt to get proof of the sexual abuse by wiring Doe48 up and sending him to meet with Fr. LaCosse. (*Id.* at 2.) The attorney reported that the tape purportedly contained an admission by Fr. LaCosse of the sexual abuse as well as "graphic and specific details." (*Id.*) The attorney said that after obtaining the tape, Doe48 "did not stay with Fr. LaCosse, but returned to Escanaba with his parents." (*Id.*)

On July 24, 1990, Bishop Mark Schmitt sent a letter to Fr. LaCosse placing him on "administrative leave" as pastor of American Martyrs Parish in Kingsford for an unspecified reason. (App'x NL#2, Bishop Schmitt's Letter to Fr. LaCosse.) The bishop further indicated to Fr. LaCosse that he was "happy about [his] willingness to go to St. Luke Institute for an assessment." (*Id.*) "Saint Luke Institute is an independent, international Catholic education and treatment center dedicated to healthy life and ministry for priests, deacons, and religious. We bring the healing ministry of Christ to those we serve through integrated psychological and spiritual treatment and education."[11] From the bishop's memorandum to file, Bishop Schmitt "immediately placed [him] on administrative leave" "in accord with [] diocesan policy" in light of the allegations of sexual abuse by Doe48. (App'x NL#3, Memo to File.) When confronted with having sexually abused Doe48 for the past three years, the bishop's memorandum indicated that Fr. LaCosse "expressed surprise": "He indicated he knew the boy well and his whole family. The boy had been a guest at his camp as well as many other boys on a number of occasions." (*Id.*) Bishop Schmitt also told Fr. LaCosse to "vacate the rectory upon his return to

[11] Https://sli.org (Last accessed on October 26, 2022.)

Kingsford and not to engage in any public liturgy or pastoral activity until further notice." (*Id.*)

On the same day Fr. LaCosse was removed from ministry on July 24, 1990, the Diocese also reported him to the civil authorities and cooperated with the subsequent police investigation. (App'x NL#20.)

On July 25, 1990, Bishop Schmitt met with Doe48' family including Doe48 as well as the family attorney, Jeff Paupore, and Richard (Rick) Schaefer, Diocesan Director of Administration and Finance, regarding the sexual abuse allegation. (App'x NL#4, Notes from Meeting.) Mr. Schaefer took notes of what transpired in his view. (*Id.*) The family indicated that the sexual abuse started in 1987 when they moved and that it "was almost immediate and consistent." (*Id.*) Also according to these notes, the family requested a "written confession from Fr. LaCosse and wanted him to list the other families and boys" that he sexually abused. (*Id.*) The notes continue: "The Bishop indicated that would be entirely up to Father LaCosse and Jeff Paupore [the family attorney] agreed it would be." (*Id.*) "Bishop indicated he would pass that on to Father LaCosse along with the family's concern for him." (*Id.*) In the notes, Mr. Schaefer indicated, "They [the family] also expressed concern for Father LaCosse and indicated he had been like a family member." (*Id.*) Further stated in the notes: "The family expressed their appreciation for our [the Diocese's] prompt response to this incident." (*Id.*) Additionally: "The family wanted the Bishop to contact Father Ronald Skufca regarding this matter so that the family could later go to him for counseling." (*Id.*) Mr. Schaefer ended the notes with the statement that "We did not indicate to the family that we had had any contact with the prosecutor regarding the matter." (*Id.*)

During this meeting, according to Mr. Schaefer's notes, Doe48's mother also expressed concern with Fr Donald Hartman, who "at one time also had some involvement with Doe48 and [she] wanted us to check out if he too was having any problems." (*Id.*) (See Fr. Donald Hartman's entry above, No. 14.)

In a redacted police report dated July 26, 1990, Doe48 detailed in this report the sexual abuse that Fr. LaCosse committed, including mutual masturbation, fellatio, attempted anal sex, and anal-digital penetration. (App'x NL#5, Kingsford Public Safety Police Report, dated July 26, 1990, p 3.) When the parents learned of the claims of sexual abuse, they hired an attorney who suggested that Doe48 wear a wire. (*Id.* at 4.) Doe48 agreed and met with Fr. LaCosse, who verbally confirmed that the sexual abuse had happened many times, explaining all the different sexual abuses. (*Id.* at 4–5.) According to the police report's review of the recording, Fr. LaCosse also admitted there are other victims – "there have been others" – and described it as them "enjoy[ing] each other for a couple of years" before they move on. (*Id.* at 5.) Fr. LaCosse told Doe48 that it was not really sexual abuse, as "a girl is going to come along" and "this whole thing is going to change." *Id.*

On October 18, 1990, Loreene Zeno Koskey, Director of Communications wrote to Bishop Schmitt that the Diocese received its first media inquiry regarding Fr. LaCosse after the diocesan news release announcing the appointment of Fr. Joseph Gouin as parochial administrator of American Martyrs Parish. "I told the Daily News reporter that Fr. LaCosse was on leave." (App'x NL#6, Memorandum dated October 18, 1990.) An undated marked-up document in the file reflects what appears to be a prepared statement from the Diocese (reflecting the handwritten edits):

> As soon as the Diocese learned of the charges against Father LaCosse, Bishop Mark Schmitt followed diocesan policy and took immediate action. Father LaCosse was required to leave his assignment as pastor of American Martyrs Parish in Kingsford to come under the direct supervision of the Bishop. We are very concerned about the person described as the victim and the family, and the Diocese has extended its offer of pastoral, spiritual, and psychological assistance to them.
>
> <u>If asked to comment in any way about the case, we would say:</u>
>
> > The matter is in the hands of the civil authorities and we are cooperating completely with them.
>
> <u>If asked to respond to any comments from the family, we would say:</u>
>
> > The church understands that this is a tragedy for everyone concerned. [App'x NL#7, Diocese of Marquette, Office of Communication (underscore in original).]

In a memo to file dated October 26, 1990, the secretary to the bishop, Pat Peterson, recorded that she had received a phone call from Fr. Joseph Gouin, in which Fr. Goiun informed Bishop Schmitt that he learned that Fr. LaCosse was planning to plead guilty to third-degree sexual assault after which he would return to St. Luke Institute for treatment and would be sentenced at a later date. (App'x NL#8, Memo to File, dated October 26, 1990.) The memo further indicated as follows:

> Since speaking to the Bishop, Fr. Gouin has been informed that Fr. [Arnold] Thompson had relayed this information to Judge Jack Payant (off the record) to seek his advice as to what to expect. Judge Payant spoke to the Prosecuting Attorney (off the record) and he informed Judge Payant there was no hearing scheduled at this time – he would not touch it before election. Nothing is pending. [*Id.*]

On or about December 15, 1990, according to local newspaper articles Fr. LaCosse was charged with four counts of criminal sexual conduct with a minor by Dickinson County Prosecutor Mike Kusz. (App'x NL#9, Milwaukee Sentinel article.) The

article indicates "he was charged with assaulting a minor from 1987 to 1990." (*Id.*) On December 21, 1990, an article ran indicating that Fr. LaCosse was charged in Menominee County by Prosecutor Daniel Haas of one first-degree, two second-degree, and one third-degree sexual conduct charges "involving an altar boy." (App'x NL#10, newspaper article dated December 21, 1990.) This article further identified charges from Delta County: "On Tuesday, Delta County prosecutors filed warrants accusing LaCosse of three counts of second degree criminal sexual conduct with a boy in the fall of 1988 to May 1990." (*Id.*)

In February 1991, according to the newspaper account from the *Escanaba Daily Press*, Fr. LaCosse pled guilty to two counts of criminal sexual conduct in Menominee County before Judge Francis Brouillette. (App'x NL#11, *Escanaba Daily News*, "Priest enters four guilty pleas.") Further, he pled guilty to one charge of second degree criminal sexual conduct and one count of third degree criminal sexual conduct in Dickinson County. (*Id.*) All charges in Delta County were dismissed as a global resolution with all three prosecutors. (App'x NL#12, Iron Mountain Daily News, "Catholic priest going to prison.") In addition, according to press accounts, the investigation that had begun in Brown County, Wisconsin would not proceed. (App'x NL#13, *Iron Mountain Daily News*, "Diocese plans no penalty for priest.")

On February 15, 1990, for the plea taken before Judge Brouillette in Menominee County, while having sworn to tell the truth, Fr. LaCosse answered the question "tell me in your own words what you did" as follows: "I allowed him to put his penis in my mouth, your honor." (App'x NL#14, Plea transcript dated February 15, 1990, p 14.) As to the criminal sexual conduct second-degree criminal sexual conduct count, Fr. LaCosse indicated "I fondled his genitals." (*Id.* at 11.) And Fr. LaCrosse agreed that that person was under 13 years of age. (*Id.*)

On March 12, 1991, Bishop Schmitt wrote a letter to Fr. LaCosse indicating support of him in advance of his sentencing:

> I will be very pleased to write to Judge Brouillette on your behalf. I hope it will help to temper his judgment in the matter. There are many positive things I can say on your behalf. [App'x NL#15, Letter to Fr. LaCosse.]

On April 1, 1990, Fr. LaCosse was sentenced to 3-to-15 years in prison for his sexual abuse against Doe48, who was 12-years old at the time of the crime. (App'x NL#12, Iron Mountain Daily News, "Catholic priest going to prison.") A civil suit on behalf of Doe48 was filed by his attorney Jeffrey Paupore. On April 16, 1999, that case resulted in a monetary settlement of $215,000 being paid to Doe48 and his family. (App'x NL#16, Release and Settlement, dated April 12, 1992, p 1.)

On February 15, 1991, John Doe49 wrote to Bishop Schmitt indicating that Fr. LaCosse had made sexual advances toward him but that he was able to resist those advances. (App'x NC#20, Letter from Bishop Schmitt to Doe49, dated February 21, 1991.) In response, Bishop Schmitt explained that he had "absolutely no knowledge of such activity on the part of Father LaCosse until the allegation which surfaced in July 1990" and that based on the diocesan policy he was removed as pastor "within twenty-four hours." (*Id.*) He acknowledged that as a "young lad, I am sure it was a very traumatic and disappointing episode." (*Id.*)

On April 8, 1993, Bishop James Garland wrote the Michigan Parole Board regarding Fr. LaCosse, stating that "in the event of Father LaCosse's release from the State Prison, to maintain a supportive relationship with him that would provide means and urge his compliance with a regimen of psychological treatment, physical and spiritual exercises and periodic accountability" to him. (App'x NC#17, Letter to Parole Board, dated April 8, 1993.) His parole was denied.

On February 27, 1995, Bishop Garland again wrote to the Parole Board indicating the same post-release plan as stated in his 1993 letter. (App'x NC#18, Letter to Parole Board, dated February 27, 1995.) Fr. LaCosse was paroled and released from prison on September 1, 1995. (App'x NC#19, Memo titled "Fr. LaCosse's parole.") The Parole Board placed Fr. LaCosse under at least twelve significant restrictions, including no physical, verbal, or written contact with any child under 16; enter a program for sexual offenders; no possession of sexually explicit materials; and no presence within 500 feet of a school, park, playground, arcade or any place where children could be present. (*Id.*)

On August 14, 2000, in a memo to Fr. LaCosse's file with a handwritten mark "secret archive," the memorandum states that the Diocese received a phone call from a priest in California. (App'x NL#21, Memo to file, dated August 14, 2000.) The memorandum indicated that the priest knew Fr. LaCosse and that he vacationed in Mexico. (*Id.*) According to this memorandum, the priest reported that Fr. LaCosse was in "serious danger of relapse and therefore acting out with minors. He needs to control situations to avoid relapse and prevent it by removing occasions." (*Id.*) The priest explained that Fr. LaCosse's trips to Acapulco were not safe because of the "ready availability of boys on the street and male prostitutes." (*Id.*)

"He is alone and not monitored and in a foreign county." (*Id.*) This priest further asked Bishop Garland not to allow Fr. LaCosse to travel to Mexico. (*Id.*) The priest wished to remain anonymous but provided enough information to enable Bishop Garland to note, "I spoke with the vicar general who verified the reliability and truthfulness of the priest and was aware that he was calling me." (*Id.*) Bishop Garland followed up by contacting Catherine Turner at St. Luke Institute where Fr. LaCosse was in group therapy, who recommended Bishop Garland contact the other members of the support group to help reinforce the need for Fr. LaCosse to avoid

traveling to Mexico. (*Id.*) Bishop Garland did so, and noted: "I spoke with all but one member and asked for their support for Norbert avoiding vacationing in Mexico. Most of them seemed willing and saw the reasonableness of my request to Norbert. Norbert indicated his intent to bring up this issue at the next meeting, which occurs later in August." (*Id.*)

On July 12, 2002, Bishop James Garland issued a "precept" against Fr. LaCosse, binding on him six different limitations consistent with the "Charter for the Protection of Children and Young People." (App'x NL#22, Precept, dated July 12, 2002.) As noted, the Charter was established by the U.S. Conference of Catholic Bishops in June 2002.[12] The limitations listed in the precept were as follows:

1. To refrain from all contact with the Doe48 family, their son Doe48, and any others who may have been objects of sexual abuse by Father LaCosse;

2. To cease until further notice any priestly ministry. This means that all of his diocesan and provincial faculties are hereby removed. He is permitted, however, to celebrate Mass in private. These private Masses may be attended only by members of his immediate family, namely his siblings. No other persons (including spouses of his siblings and their children) may be present;

3. To refrain from presenting himself publicly as a priest in any way;

4. To refrain from wearing clerical garb under any circumstances;

5. To avoid all places and situations that, from past experience, have been occasions of serious temptation in the area of sexual morality. This would include, but is not to, being alone with minors, without the direct supervision of their parents.

6. To finally avoid any public appearances in parishes where he has previously served, or gatherings of parishioners from those parishes designed to show public support for his predicament. [App'x NL#22, p 1, identified as "42" in the document.]

[12] See https://www.usccb.org/offices/child-and-youth-protection/charter-protection-children-and-young-people#:~:text=The%20Charter%20for%20the%20Protection%20of%20Children%20and,accountability%2C%20and%20prevention%20of%20future%20acts%20of%20abuse. (Last accessed October 26, 2022).

The precept noted that it would become effective upon receipt and replace the former precept issued to Fr. LaCosse dated September 8, 1995. (*Id.* at 2, identified as "43" in the document.)

In an undated, handwritten note in the file was found related to allegations of sexual abuse against Fr. LaCosse indicated the following:

> [John Doe50] from Mil. Abused by LaCosse in Iron River, Assumption Parish, 1958. 10 years old swimming at a cottage. Grooming only.
>
> Took overnight trip w/LaCosse in a motel. Fondled him to ejaculation and then ejaculated himself. Told parents. Dad called LaCosse – chewed him out. Has called prosecutor in Marquette County. [App'x NL#23, undated handwritten note.]

On April 16, 2004, John Doe51 was interviewed by Fr. Alexander Sample and reported the following:

> [Doe51] is one of [] brothers in his family. All were altar boys at St. Michael Parish in Marquette, MI. . . .
>
> The [Doe51]'s family had an "open door" policy at their home when it came to priests. They were always welcome in their home, and their home was like "Grand Central Station" when it came to priests visiting them.
>
> Among those priests who frequently visited were Reverend Norbert P. LaCosse and Reverend Donald P. Hartman. [See above entry, No. 14.]
>
> On Christmas Eve, 1957 Reverend LaCosse was at the [Doe51] home and invited [Doe51] to go for a ride in his new 1958 Buick. It was after Midnight Mass at the parish. [Doe51] was 15 years old at the time. . . . Reverend LaCosse drove [Doe51] out to the Harlow Lake Road, north of Marquette, MI. There he parked the car and sexually assaulted [Doe51]. He put his hands down [Doe51]'s pants and began fondling him. He opened [Doe51]'s pants and performed oral sex on [Doe51]. Reverend LaCosse then opened his own pants and tried to get [Doe51] to perform oral sex on him. [Doe51] refused.
>
> When they left the area, Reverend LaCosse let [Doe51] drive the car. As [Doe51] drove, Reverend LaCosse continued to molest [Doe51]. Somehow, they ended up on the four-lane highway near Negaunee, MI. [Doe51] made some mistake with the turn signal and the police stopped them. Reverend LaCosse and [Doe51] had to get out of the car. [Doe51] was very embarrassed and was trying to close his

> trousers. The police let them go, and let [Doe51] drive the car back to the [] home since Reverend LaCosse was intoxicated.
>
> During the following days, Reverend Hartman called Doe51 and told him that he had heard about what had happened in the car. He asked Doe51, "Did you enjoy it?" It was clear to Doe51 that Reverend LaCosse had shared the events of that night with Reverend Hartman.
>
> Reverend Hartman had a practice of kissing the boys and hugging them, and then giving the boy a dollar. He was flirtatious.
>
> From this point on, Doe51 stayed away from Reverends LaCosse and Hartman. He simply avoided them. There was no further abuse of Doe51. [App'x NL#24, Act of the Preliminary Investigation, dated April 17, 2004, pp 1–2.]

Doe 51 further reported that at the time of these events in 1957 or 1958, he confessed to a priest "in the Sacrament of Penance what had happened." (*Id.* at 2.) The report noted that the priest told Doe51 "not to tell anyone about it," leaving Doe51 feeling like he had "nowhere to turn" and "no one to talk to about what had happened." (*Id.*) Father Sample indicated to Doe51 that "if he ever thought he might benefit from some professional counseling, the Church would stand ready to help with that." (*Id.*) Fr. Sample also told Doe51 to let his other brothers know the Church would be willing to hear any other reports they had. (*Id.*)

Related to the April 17, 2004 report, on August 27, 2004, the Diocese received a complaint from Doe52, one of the brothers of Doe51. (App'x NL#25, Receipt of Complaint, dated August 27, 2004.) Doe52 indicated that Fr. LaCosse "molested him on two separate occasions in approximately 1955 when he was 15 years old." (*Id.*) He had joined the Junior Knights of Columbus (Columbian Squires) and during his time as a member, he stated that "he went on two trips with Reverend LaCosse." (*Id.*) The report notes that on both of those trips, "Reverend LaCosse performed oral sex on him." It added that "Reverend LaCosse asked him to perform oral sex on him," but that Doe52 refused to do so. (*Id.*)

On September 17, 2004, Bishop James Garland wrote a letter to memorialize a meeting that occurred on September 17, 2004. It noted that the Diocese had "received two new allegations against [Fr. LaCosse] of sexual abuse of minor males." (App'x NL#26, Letter to Fr. LaCosse, dated September 17, 2004, p 1, identified as "84" in the document.)

In the September 17, 2004 letter, Bishop Garland noted that he opened "a preliminary investigation" in response to the first complaint, and after receiving the report and consulting with the Diocesan Review Board for the Protection of Children and Young People, "I determined that the allegation is neither manifestly

false nor frivolous." (*Id.*) The letter then informed Fr. LaCosse that he would inform the Congregation for the Doctrine of the Faith. (*Id.*) The letter further noted that the second complaint was received on August 27, 2004. Like the first complaint, the bishop indicated that he found the second allegation "is neither manifestly false nor frivolous." (*Id.* at 2, identified as "85.") The bishop then asked whether Fr. LaCosse would "voluntarily seek laicization." (*Id.*) He also asked that Fr. LaCosse respond in writing to the allegations after providing a summary of the substance of the claims from the Does51 and 52 brothers. (*Id.*)

In 2004 or 2005, Bishop Garland moved to have Fr. LaCosse dismissed from the clerical state. (App'x NL#27, Letter from Congregation of the Doctrine of the Faith, dated August 3, 2005.) In response, the Secretary to the Congregation of the Faith, Archbishop Angelo Amato, SBD, denied imposing the sanction:

> I wish to inform you that this Congregation, while sharing the position expressed in Your Excellency's *Votum* and recognizing the grave nature of the cleric's past offences, has nevertheless taken into consideration the cleric's age, the fact that he is already in retirement and that the matters of which he is accused have fallen into prescription. This Dicastery has therefore decreed that it will not be necessary to present this case to the Holy Father for dismissal from the clerical state *ex officio*. [*Id.*]

On August 30, 2005, Bishop Garland issued a "Praeceptum poenale," a penal precept, in light of the response of the Congregation for the Doctrine of the Faith. (NL#28, Praceptum Poenale, dated August 30, 2005.) In this precept, he directed Fr. LaCosse to "a life of prayer and penance," allowing the celebration of Mass privately. (*Id.*) The precept also required him to live in the City of Marquette and cease any further travel to Mexico: "In recognition of the fact that it places Reverend LaCosse at risk for relapse into previous sinful behavior and in order to protect the faithful, he is directed to cease any further trips to Mexico." (*Id.*) These obligations were "in addition" to the Precept, dated July 12, 2002, and in the letter dated September 17, 2004. (*Id.*)

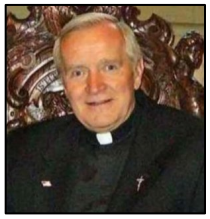
On August 29, 2007, the Diocese received a letter from John Doe53 indicating that when he attended Loretto Catholic Center High School in Sault Ste. Marie in the early 1960s he was befriended by Fr. LaCosse. (NL#29, Letter to Bishop Alexander Sample, dated Aug 29, 2007.) According to this letter, Fr. LaCosse took a "special interest in him" and they became friends. (*Id.*) He reported Fr. LaCosse's conduct:

> I traveled with him on many occasions often overnight and out of state. We spent a great deal of time together. . . . I was young and very impressionable. At one point, Father's activities became disordered. I was shocked and drew away from such a close association with him. (*Id.*)

On September 7, 2007, Bishop Sample responded to the letter of Doe53 by apologizing for any harm that Fr. LaCosse had done to him. (App'x NL#30, Letter dated September 7, 2007) ("I am profoundly sorry for what you have endured.") Bishop Sample also offered Doe53 to meet with him and refer him to the Diocese victim assistance coordinator for outreach. (*Id.*) On September 11, 2007, Doe53 wrote a second letter indicating "it serves no purpose for me to come forward at this point, as his conduct has been exposed and dealt with appropriately." (App'x NL#31, Letter dated September 11, 2007.) Doe53 stated that "I lost 40 years using bad memories as an excuse to hate God and His Church." (*Id.*) By 2011, Doe53 emailed the Diocese asking to be notified when Fr. LaCosse died as this "will offer closure in some way and I need closure." (App'x NL#32, Email dated April 28, 2011.) As of 2014, Doe53 was more willing to share limited details of his sexual abuse indicating that Fr. LaCosse befriended him and had him over to the rectory, served him cocktails, took him to dinner, and let him drive his car. (App'x NL#33, Phone Conversation notes dated April 30, 2014.) The notes were taken by the victim assistance coordinator, Stephen Lynott. (*Id.* at 2.) According to this conversation, Doe53 indicated that he "would often pass out" and thinks that "LaCosse molested him at that time." He explained that "most of the time he resisted LaCosse when he was sober." (*Id.* at 1.)

On July 25, 2018, Bishop John Doerfler wrote a letter to a witness. (In the letter, Bishop Doerfler acknowledged that the witnesses' family member was sexually abused by LaCosse, stating "[i]n addition, you shared that your brother had been molested by Father LaCosse many years ago." The bishop then offered an apology and an opportunity for counseling: "On behalf of the Church, I wish to offer you a sincere apology. If it would help you to talk to someone about this, I would invite you to contact one of our victim assistance coordinators. I am confident that you would find in them a warm heart open to listen."

(22) FR. FRANK LENZ
(LISTED ON BISHOP ACCOUNTABILITY SITE.)



Alive. Remains in ministry within "strict limitations" as a retired priest, as he may not engage in priestly ministry in parishes and schools.[13]

On March 30, 2018, the victim advocate coordinator, Stephen Lynott, met with Jane Doe11, who claimed that Fr. Frank Lenz had "sexually abused" her in the early 1970s. (App'x FL#1, "Report on meeting," dated March 30, 2018.) Fr. Lenz was 76 years old at the time of the accusation. The following information was provided:

> In a subdued voice she told me that when she was in the 3rd through 5th grade at St. Peter's she, and several other girls (4–5) would be taken by Fr. Frank Lenz to Willow Farms, in Chocolay Township, to ride horses. Fr. Frank was known to keep horses as a hobby during the first 15 years or so of his ordained priesthood. [Doe11], who is now in mid-life, said that Fr. Frank would take her to the horse stalls, lay her in the straw and "lay on (her)." He would touch her "skin on skin" and arouse her and rub himself on her. She remembers a "sash" of some kind falling down on her when she was in the prone position.
>
> She does not remember any other people around her. She never did ride any horses.
>
> When he would drive her home he would tell her that this was "just between the two of us." He never threatened her. When she got out of the car, still aroused, she would rub herself on the metal fences at Fisher School until she found relief, and then went home. She told no one.
>
> She said that this happened 10–12 times over a two-[year] period and that the same thing would happen to her friends. She named one as [Jane Doe12], who to his day she "cannot look in the face." Another of the girls developed a drug addiction in her adult years and died of an

[13] See https://www.uppermichiganssource.com/2020/10/20/church-tribunal-finds-accusation-of-sexual-misconduct-by-marquette-priest-inconclusive/ (Last accessed October 26, 2022.)

> overdose. [Doe11] said all of them changed and become shy, isolated and "scared." [*Id.* at 1.]

The same day, on March 30, 2018, the attorneys for the Diocese sent a letter to the Marquette County Prosecutor, Matt Wiese, informing him of the allegations. (App'x FL#2, Letter to Prosecutor, dated March 30, 2018.) In the letter, the attorney noted that the "Diocese will place Fr. Lenz on administrative leave during the investigation." (*Id.*)

On April 2, 2018, the officials from the Diocese met with Fr. Frank Lenz regarding these allegations. (App'x FL#3, "Meeting w/ Fr. Frank Lenz," dated Monday, April 2, 2018.) There were two other priests present from the Diocese, Fr. Larry Van Damme and Monsignor Michael Steber. (*Id.* at 1.) According to these handwritten notes, Fr. Lenz "categorically" denied the allegation, asserted that the diocesan planned response "implies guilt," asked whether he may "personally face my accuser," and stated that he would "never again" get back my "reputation." (*Id.* at 1.)

On April 2, 2018, Bishop John Doerfler issued a decree in which he opened a "preliminary investigation" under Canon Law regarding the March 30, 2018 allegation. (App'x FL#3, Decree dated April 2, 2018.) In the decree, he noted that the allegation was one of "sexual abuse" for a minor under the age of 16 years for which he found that it carried "the semblance of truth":[14]

> Following an initial review of the allegation, I have found that it is neither manifestly frivolous nor false. Rather, I have determined that the allegation carries with [it] the semblance of truth. [*Id.*]

On that same day, April 2, 2018, Bishop John Doerfler issued a precept in which Fr. Lenz was bound to the following specific obligations:

1. To refrain from contact with minors;

2. To refrain from contact with the person who has lodged the above mentioned complaint, with members of her family, and with all persons who might serve as a witness to the matter; and to refrain in any other way from obstructing the preliminary investigation itself;

3. To reside at your current residence in, Marquette, Michigan;

[14] "Semblance of truth" is a term in Canon Law proceedings used to evaluate the strength of evidence against a priest. (See https://www.vatican.va /resources/resources_glossary-terms_en.html.)

4. To refrain from public celebration of the sacraments. You are permitted, however, to celebrate Mass in private without any other person present.

5. To refrain from presenting yourself publicly as a priest in any way;

6. To refrain from wearing clerical garb under any circumstance. [App'x FL#4, Precept dated April 2, 2018.]

The precept noted that it "should in no way be construed as a judg[]ment of guilt concerning the allegation." "Rather, the precept is a temporary measure intended to protect the rights and reputations of all involved, as well as to avoid any scandal to the Christian faithful." (*Id.*)

Also on April 2, 2018, in the diocesan press release, the Diocese stated that it placed Fr. Lenz on "administrative leave effective immediately," as a result of a "recently-made credible allegation of sexual misconduct with a minor dating back to the 1970s." (App'x FL#5, News Release, dated April 2, 2018.) It further noted that Fr. Lenz denied the allegation. (*Id.*)

The Diocese obtained a copy of the Chocolay Township Police Department's investigatory documents. (App'x FL#6, Chocolay Twp Police Report.) In the police report, the reporting officer recorded the substance of the complainant's allegations against Fr. Lenz, which included allegations of vaginal penetration with his fingers and that he "orally licked her exposed vagina." (*Id.* at p 6 of 13.) She told the reporting officer that this occurred 10 to 15 times over a one-year time period. (*Id.*)

On August 3, 2018, the attorney for the Diocese received a letter from the Marquette County Prosecutor's Office, which indicated that the Chocolay Police Department "submitted the police report with a request for a charge of Criminal Sexual Conduct First Degree," but that "no charges were authorized" because the allegations occurred "well over the time allowed by the statute of limitations." (App'x FL#7, Letter from Marquette County.) It should be noted that at the time of the reported sexual abuse the statute of limitations was only six years.

On August 16, 2018, Bishop John Doerfler issued an additional precept to Fr. Lenz in light of "unauthorized statements" made to the news media, "[i]n order to protect the accused, the accuser, the witnesses, and the integrity of the canonical process that is being conducted and to allow the investigation to be conducted promptly and objectively." (App'x FL#8, Precept dated August 16, 2018.) The precept directed Fr. Lenz to discuss the case "privately," requiring him to remove "any and all social media posts," and obliging him "not to discuss the case publicly." (*Id.*)

In September 2018, Fr. Lenz prepared a five-page written statement addressing the allegations raised by Doe11. (App'x FL#9, "My response to false accusations of sexual abuse of a minor.") In this written statement, Fr. Lenz "categorically,

completely and unequivocally den[ied] all of her charges, without reservation or exception." (*Id.* at 1.) Regarding the police investigation and the police interview of witnesses, Fr. Lenz stated that "[n]ot one of them reported any kind of misconduct by me; most all of them had positive things to say about their memories of me, and even about their ongoing, present impression of my overall decency. No one corroborated a single memory of the accuser's charges against me." (*Id.*)

On March 14, 2019, the attorney for the Diocese requested from the Department of Attorney General, that it may commence its canonical review of these allegations given that the statute of limitations had run on any possible criminal conduct. (App'x FL#10, Email from Attorney.) The Diocese agreed to suspend any dual investigation during the time that the Department was conducting its own investigations. Once the Department concluded an investigation, the Diocese was informed so it could move forward with its own investigation. Here, the Department agreed that the statute of limitations had expired.

On October 20, 2020, according to news accounts, the church tribunal reviewing the allegation determined that the evidence was "inconclusive," and that it was "unable to establish guilt or innocence to the standard of moral certainty in the case." (App'x FL#11, "Church tribunal finds accusation of sexual misconduct by Marquette priest 'inconclusive.' ") As a result, according to the article, "Father Lenz is returned to ministry with strict limitations in place by Bishop John Doerfler, which include prohibiting him from priestly ministry in parishes and schools." (*Id.*)

(23) FR. CLEMENT LEPINE
(LISTED ON BISHOP ACCOUNTABILITY SITE.)

Died November 19, 2000.

In letter dated February 2, 2005, Jane Doe13 wrote a letter reporting sexual abuse by Clement LePine as early as 1969. (App'x CL#1, Doe13 Letter.) Fr. LePine lived near her family. (*Id.*) The family attended St. Joseph's parish. (*Id.*) According to this letter, Fr. LePine would sit on his doorstep and call to the children, luring them with candy, games, and toys. (*Id.*) The favorite game was jumping on his bed. (*Id.*) Doe13 reported that he would get the other kids busy with a game and take one child to his bedroom where he would help the child "flip upside down" while tickling their bare skin. (*Id.*) By the age of 7 or 8, Doe13 said she was invited to Fr. LePine's home to jump on the bed—she explained that this was a treat because her own mother would have a "fit" if she jumped on the bed. (*Id.*) She jumped until tired and flopped on the bed on her stomach. (*Id.*) Doe13 reported that Fr. LePine then pulled her shorts and underwear down and rubbed his fingers into her body, sliding his fingers into her butt and vagina. (*Id.*) She said she remembered hearing a screen door slam and Fr. LePine yelled at her to "get out of here right now" and hoisted her up by the shorts. (*Id.*) She noticed the anger on his face and that his pants were undone. (*Id.*) She remembered being wet between the legs and believed then that Fr. LePine was angry with her because she had "peed in his bed." (*Id.*) Doe13 reported that this type of sexual abuse did not happen again to her but stated that her brother was also sexually abused by Fr. LePine. (*Id.*) Sometime later, Doe13 discussed the sexual abuse with her friend, and they contemplated speaking to law enforcement but believed they would be ridiculed and slandered. (*Id.*) Eventually, she did tell her mother of the sexual abuse. (*Id.*)

In a letter dated May 19, 2005, Jane Doe14 wrote a letter to the Diocese to report her sexual abuse from 1969 to 1972 when she was around the ages of 5 to 8 years old. (App'x CL#2, Letter.) She reported that Fr. LePine would "tickle" her and fondle her genitals many times during the three-year period. (*Id.*) She said that Fr. LePine would teach her new ways to use the toilet where she would squat on the toilet seat without underwear, and he would touch and penetrate her vagina and anal opening with his fingers. (*Id.*) Fr. LePine would let her jump on his bed and touch and penetrate her genitals. (*Id.*) On one occasion, Doe14 reported, Fr. LePine forced Doe14 to perform fellatio on him when she was 8 years old. (*Id.*) In order to ensure Doe14 kept quiet about the sexual abuse, according to Doe14 Fr. LePine told her that God would come and burn her house down and burn up her family in the middle of the night. (*Id.*) She said that he took her to the basement and forced her near the hot furnace, threatening to throw her in and burn her up. (*Id.*)

Also in this May 2005 letter, Doe14 stated that in 1981 or 1982 she reported Fr. LePine's abuse to Sue Feldhusen at Catholic Social Services, a counselor in Marquette. (*Id.*) Doe14 observed a young girl hanging around Fr. LePine's home, and Doe14 wanted to make sure the young girl was not being abused. (*Id.*)

Feldhusen scheduled a meeting with diocesan officials. (*Id.*) Doe14 remembered this as being very traumatic. (*Id.*) She recounted the meeting:

> One of the priests in the meeting told me he was a counselor for priests. The counselor asked me to describe what happened to me. First, I told him about the tickling and inappropriate fondling. His response was very skeptical and demeaning, and he asked me a number of questions, including "is that <u>all</u> that happened," "what were <u>you</u> doing at his house" "are you sure you're not making this up?" I then tried to talk about the toilet incidents and he again in a skeptical tone, fired questions and comments at me including a comment that what happened to me didn't sound "that bad." [*Id.* (underscore in original).]

The 1981/1982 meeting concluded with Doe14 feeling as if she had not been believed and she indicated that if she saw that young girl again at Fr. LePine's home she would call the police. (*Id.*)

In 2005, the Diocese conducted its own investigation for the benefit of the Review Board by speaking with Susan Feldhusen. (App'x CL#3, Conversation with Susan Feldhusen.) She recalled Doe14 telling her she was sexually abused by a priest who lured her with candy into his house where the sexual abuse occurred. (*Id.*) Further, Doe14 said she was concerned about another little girl around the priest's house and that she referred Doe14 to Fr. Peter Minelli (see entry No. 26 below) because he was the "spiritual director for priests." (*Id.*) Review of Fr. Minelli's file revealed that he was the "Vicar for Priestly Life" from November of 1979 to October of 1981. (*Id.*)

The reports were deemed credible and were validated. (App'x CL#4, News Release on August 22, 2005.) The Diocese agreed to reimburse Doe14 for the cost of counseling support services. (App'x CL#5, Release dated November 26, 2007.) Doe14's attorney signed a release of all claims that in any way "arise out of or are alleged to have arisen out of the actions and conduct of Father LePine" in exchange for $112,000. (*Id.*)

At the request of the victims, in 2005 the Diocese made a public announcement that Fr. LePine had been credibly accused, that his name be removed from the St. Joseph Parish Hall, and that his photograph be removed from the church vestibule. Bishop James Garland wrote to Doe13, offered to pay for her counseling, and indicated the following, "You know that the Board and I have recognized your allegations as credible. The picture of the former pastor has been removed from the church entrance and the parish hall is now called St. Joseph Parish Hall. . . . I renew my apology and sorrow to you for the distress you have suffered because of Father LePine's actions." (App'x CL#6.)

(24) FR. MARK MCQUESTEN—
* ACTIVE MINISTRY (RETIRED) *

Alive in active ministry as a retired priest.

In a note dated December 18, 2003, for the personnel file of Fr. Mark McQuesten, Bishop James Garland indicates the following:

> In a letter from Donald J. Giesen dated December 15, 2003, the information was provided to me that members of the 'French Choir Boys' stayed three nights in the rectory of St. Mary Parish, Norway. Father Alex Sample, Director of Priest Personnel, spoke with Father McQuesten about this allegation. It is true that the pastor did have some of the 17–18 year olds at the rectory with adults also present.
>
> Father Sample strongly and clearly reminded Father McQuesten that this was in violation of our policy and that no minors are allowed in the living quarters, let alone overnight, and that this was a serious matter. Father McQuesten accepted the rebuke. [App'x MM#1, Memo to File.]

John Doe54 contacted the Victim Assistance Coordinator of the Diocese of Marquette on January 19, 2018, to report alleged sexual misconduct by Fr. McQuesten in the 1980s, when Fr. McQuesten was in the seminary. (App'x MM#2, Investigative Report, dated January 26, 2018, p 1.) The Diocese engaged Diocesan Assistance Coordinator (DAC) John Flannery,[15] from the Diocese of Green Bay, Wisconsin, to conduct an investigatory interview with Doe54 on January 26, 2018. (*Id.*) Vicar for Clergy of the Diocese of Marquette, Fr. Larry Van Damme, was also present. (*Id.*) Flannery reported the following based on this interview:

- In 1986–87, while attending high school, [Doe54] and his brothers [Witness1 and Witness2] were invited by [s]eminarian Mark McQuesten to accompany him down to [Florida] for [a] wedding[.]

* * *

- [Doe54] claims that the group stayed in Miami Beach at a "dive motel" (he does not remember the name). 2 rooms were obtained. The brothers were forced to choose who had to stay with McQuesten by drawing straws. [Doe54]

[15] According to 2021 materials on the website of the Diocese of Green Bay, John Flannery is a law enforcement executive; a former sensitive crimes instructor in policy academy; and a member of the Wisconsin Office of [Crime] Victim Services working committee. (https://www.gbdioc.org/docman/safe-environment/848-members-of-the-independent-review-board/file, last accessed October 26, 2022).

stated, "I drew the short straw." The other brothers stayed at a room down the hallway from [Doe54] and the priest.

* * *

- [Doe54] described what happened. McQuesten had gone to bed and was lying on one side with his back to [Doe54.] [Doe54] was sitting on the edge of the bed and turned on the television set. Both were fully clothed. [Doe54] found the Playboy channel and watched it for a period of time. . . [Doe54] claims he then turned the channel off and went up onto the bed, lying on his back. At this point, [Doe54] alleges that McQuesten turned and his right hand fell into [Doe54]'s lap, on or near the genital area. [Doe54] immediately turned to the left so that the hand came up onto his right hip. McQuesten is alleged to slip his hand down onto the buttock region and then to the small of the back. [Doe54] claims that McQuesten then proceeded to rub his back a few times with his right hand. [Doe54] jumped out of bed and yelled, "Mark stop it," at which point McQuesten made some sort of sound in acknowledgement. . . . .

- DAC asked [Doe 54] if McQuesten knew that he was watching the Playboy channel given his statement about *exposing a child to pornography*. [Doe54] responded, "I feel like he had to know." [Doe54] admitted that McQuesten *did not turn on the [Playboy] channel, express to [Doe54] that he was in favor of [Doe54] watching it, or turn over and see what was going on.* [Doe54] also admitted keeping the volume down. DAC inquired from [Doe54] if it was possible that McQuesten was sleeping. [Doe54] acknowledged that it was possible, but he felt McQuesten "had to know what was going on" and was "only pretending to sleep." However, [Doe54] has no evidence to back this claim, just his "feelings."

- DAC asked [Doe54] to describe the positions of both he and McQuesten on the bed. For some reason, this was an involved process; [Doe54] using DAC's desk to orientate himself to the situation. DAC asked twice if McQuesten had his back to [Doe54] [in bed]. . . . [Doe54] answer[ed] affirmatively. When asked how he knew that McQuesten used his right hand to rub his back, [Doe54] stated he "simply knew" even though he had his back to McQuesten.

- DAC asked if [Doe54] was aroused and had an erect penis when McQuesten allegedly placed his hand on or near [Doe54's] genitals. [Doe54] immediately responded. "Absolutely not." DAC inquired if McQuesten squeezed, rubbed or attempted to open his pants to gain access to his penis. [Doe54] stated none of this happened. [Doe54] also admitted that McQuesten did not say anything at this time, and he cannot definitively state that McQuesten was awake during the episode, though he "feels Mark had to know what he was doing." [Doe54] did not look at McQuesten's face during the incident, turning over right away.

- DAC asked [Doe54] what he did after jumping out of bed and telling McQuesten to stop. . . . [Doe54] appeared to be perplexed by this question. He does not remember what he did after. . . . [Doe54] did advise that he never told his siblings about the incident until years later.

- DAC made the comment that the details were not that clear, which elicited a response from [Doe54] that "the story is mine to tell" (?) . . . [Doe54] explained that he can't be completely clear on all that happened; all he can do is tell how it made him feel. [App'x MM#2, pp 3–4 (emphasis in original).]

In his report of the interview, Flannery noted several "concerns" about the truth of the information relayed by Doe 54:

> Concern #3 – DAC has a number of concerns over this recall of the alleged incident. The first is [Doe54]'s having attributed abusive behavior by McQuesten to *[Doe54]'s own actions*. [Doe54] acknowledges having found the Playboy channel on the television set and watched it for a period of time. *During which, he claims that McQuesten may have been sleeping*. Though McQuesten did not give permission for [Doe54] to watch it, McQuesten did not turn it on and force [Doe54] to sit through it, and he did not turn over and witness what was happening – *[Doe54] still blames McQuesten for his exposure to the program*. This makes no logical sense, but does call into question for DAC what [Doe54]'s true motives are. . . .
>
> [Another concern is] [Doe54]'s failure to recall what happened next after the alleged abuse…DAC questions how given the trauma of what [Doe54] claims occurred, he can't remember the next day? If victimized, many [trauma victims] will avoid the abuser or even if acting 'normal' will acknowledge the uncomfortable feelings being with the abuser the rest of the trip . . . but [Doe54] can't recall that morning how he or McQuesten acted. DAC believes this can occur for only one of two reasons – either it was not perceived to be abuse by [Doe54] at the time or [Doe54] is lying. [App'x MM#2, pp 4–5 (emphasis in original).]

On February 1, 2018, as a follow-up to the interview with Doe54, Flannery reviewed several of the allegations that Doe54 advanced in the prior meeting. (App'x MM#3, Investigative Supplement, dated February 1, 2018.) According to this report, despite Doe54's earlier claim that he was a firefighter, "he was found not be a certified firefighter in the State of Wisconsin." (*Id.* at 2.) Also, the report indicated that "[r]ecords were found to confirm" that he traveled down to Florida in 1986 for a wedding. (*Id.*) Finally, the report noted that Doe54's prior relationship to Life Church, was adverse, as Flannery spoke with two members of that community who indicated that Doe54 had begun to "exhibit odd and bizarre behavior" and "on more

than one occasion was found to be exaggerating or untruthful with what he told members." (*Id.* at 3.)

Flannery talked to Doe54's brothers, Witness1 and Witness2; Flannery also spoke with McQuesten on two occasions. (App'x MM#4, Investigative Summary dated May 14, 2018, p 1.)

In the introduction to his report of May 14, 2018, Flannery summarized his prior interviews with [Doe54]:

> "This DAC has many years of training and experience in interviewing both victims and perpetrators of sexual assault, and the interview was to aid in establishing the validity of the allegation being brough t forward. The interview of [Doe54] did raise a number of concerns for the DAC. There was a lack of consistency in the information between what had been told to the Diocese of Marquette DAC and what was told on the date of the interview. . . . Further, he was reluctant to state unequivocally that the behavior attributed to Fr. Mark was intentional, and acknowledged [it] may simply have been misinterpreted on his part." [App'x MM#4, Investigative Summary, dated May 14, 2018, p 1.]

On March 31, 2018, Witness1 was interviewed and provided information relative to the trip to Florida. (App'x MM#4, Investigative Summary dated May 14, 2018, pp 4–6.) Witness1 provided the following information:

- [Witness1] recalls the trip down to Florida with Fr. Mark for the wedding. [Witness1] believes that Fr. Mark is homosexual and he has always had an "eye for his brother [Witness2]."

* * *

- [Witness1] stated that the morning after the first night, he sensed something was wrong with [Doe54,] but he didn't think anything of it. He could not provide details just that this always stuck in his mind for some reason.

- [Witness1] stated that a few years after the trip [Doe54] told his brothers that when staying in the room, Fr. Mark did something inappropriate. He has since spoken to [Doe54] and now understands that Fr. Mark tried to touch him. . . .

- [Witness1] recalls that Fr. Mark always "hugged too much" with his brothers and the group of young men that were friends of the [brothers' family]. Fr. Mark never abused anyone to his knowledge but he "crossed boundaries way too often."

[Witness1] describes his hugs as "too long" and would always press his whole body up against someone in the embrace.

- [Witness2] came back from the trip out west and told his brothers that Fr. Mark disrobed in front of him and [Witness3]. He also told their circle of friends. [Witness1] alleges that when Fr. Mark learned that [Witness2] had spoken to everyone about it, he allegedly told [Witness2] to stop and stated, "No one, including your own parents, will believe you." [App'x MM#4, pp 5–6.]

On May 14, 2018, Witness2 was interviewed by phone from his home. (App'x MM#4, Investigative Summary dated May 14, 2018, pp 6–9.) Flannery noted that "[Witness2] came across credible" and "told this DAC he is not seeking anything from the Diocese." (*Id.* at 6.) Witness2 provided the following information:

- [Witness2] affirmed that on the trip to Florida, for the wedding of Fr. Mark's brother, the [] brothers and the priest had obtained two rooms – one for [Witness2] and [Witness1], and one for [Doe54] and Fr. Mark. [Witness2] who by this time had grown frustrated and "felt creeped out by Fr. Mark's behavior" refused to stay in the room with the priest. The brothers drew straws to determine who would stay with Fr. Mark, and it turned out to be [Doe54.] [Witness2] advised that he didn't notice anything out of the ordinary with [Doe54] the next morning, and it was only a few years later that [Doe54] told the brothers what happened. [Witness2] claims that [Doe54] told them that during the night, he woke up to find Fr. Mark rubbing his back. This DAC pressed [Witness2] on this point – did [Doe54] describe anything else? [Witness2] claims he did not, though he admits that his response to this information was to say to [Doe54] – "That was it?" He believes that maybe this might have shut [Doe54] down, but he doesn't know.

* * *

- [Witness2] told this DAC that Fr. Mark was a friend of his parents and he first met him when he was 12–13 years old. Fr. Mark was a seminarian and assisted at a church in Norway, MI. Fr. Mark paid attention to [Witness2]. . . . Fr. Mark took him and his friends fishing at Strawberry Lake in Norway. [Witness2] also recalls that Fr. Mark often had "pizza night" with [Witness2] and his friends. Fr. Mark allowed them to sleep over at the rectory after watching movies and having pizza. Fr.

Mark didn't abuse him, or to his knowledge his friends, but he was always "hugging too much with teenagers."

- [Witness2] recalls one time when fishing, that Fr. Mark told him to take off his shirt because it was hot out. [Witness2] recalls this incident vividly. Fr. Mark would always have his shirt off and request that [Witness2] and his friends to rub suntan lotion on his back and chest. [Witness2] refused to take his shirt off that time and Fr. Mark got extremely upset over it. . . .

- [Witness2] mentioned that [Witness3] and he were in Fr. Mark's apartment in the rectory above the living quarters of Fr. Bares(?) on more than one occasion. Fr. Mark was an associate pastor at the time. In one instance, [Witness2] and [Witness3] found a copy of the magazine *Play Girl* in the bathroom. They thought it was funny and brought it up to Fr. Mark. He too thought it was funny, and downplayed the incident. The boys asked him why he had the magazine, but he never gave them a straight answer. It was at this point they both suspected that Fr. Mark was gay.

- When [Witness2] turned 13–14, his parents sent the [] brothers to [a high school seminary in] Wisconsin. Fr. Mark stayed in touch with [Witness2] and often wrote him letters. [Witness2] first began to get really concerned about the priest's behavior when he received these letters. They were written similar in style (according to [Witness2]) to "love letters." Fr. Mark would tell [Witness2] he missed him, loved him, and would say things that in his opinion, only people in intimate relationships express. He can't recall all that was written. [Witness2] burned some of the letters out of concern that others in his dorm might find them and believe that [Witness2] was homosexual. Events became more concerning for [Witness2], he claims, when Fr. Mark would visit him and they would go out to see a movie or for dinner. Often the conversation focused on [Witness2] and his sex life with his girlfriend. He distinctly recalls one conversation in which he was asked by Fr. Mark if his girlfriend gave him "good hand and blow jobs." [Witness2] stated this "freaked him out" and he began to avoid meeting up with Fr. Mark on weekends or evenings.

- During his sophomore year, at summer break, Fr. Mark asked his parents if [Witness2] would be interested in accompanying him on a road trip out West. His parents thought this was a good idea[;] [Witness2] did not. [Witness2] convinced Fr. Mark

and his parents that [Witness3] should also go. Fr. Mark was extremely upset, but [Witness2] advised them he would not go without [Witness3]. . . .

- Fr. Mark often purchased wine for the three of them and they would drink it together. At one park in British Columbia (Canada), Fr. Mark asked [Witness2] to take a walk with him. Once they were away from [Witness3], Fr. Mark confronted [Witness2] and asked him why he doesn't say he "loves him anymore." Fr. Mark actually began to cry over this. [Witness2] told Fr. Mark that that when he was younger, they all stated they "loved each other, like Jesus would with his disciples." [Witness2] got the impression that Fr. Mark perceived this differently – yet, it was Fr. Mark that recommended using that phrase in this context. [Witness2] was extremely uncomfortable and immediately walked back to where [Witness3] was by the vehicle.

- [Witness2] related that he and [Witness3] were taken to the sand dunes in Oregon, and upon arriving Fr. Mark disrobed and stood naked in front of both of them. Fr. Mark advised that he was going sunbathing and suggested they do the same. [Witness2] and [Witness3] were extremely uncomfortable and walked back to the vehicle to wait for Fr. Mark to be done. No one else was around at the time. [Witness2] does not recall where this was.

- [Witness2] did recall that the three of them – at Fr. Mark's insistence – traveled to a nudist beach in California. However by the time they arrived, it was dark, cold and no one was there. . . .

- [Witness2] advised this DAC that the road trip was awkward, and as the trip went on, [Witness2] was feeling more and more uncomfortable. It was obvious to him that Fr. Mark had wanted to be alone with [Witness2] on the trip. [Witness2] convinced Fr. Mark to travel down to Arizona where [Witness2]'s [relatives] resided. Fr. Mark did not want to, but [Witness2] insisted. Eventually they traveled down there and [Witness2] asked his [relatives] if he could stay with them and not continue with the trip. He believes that his [relatives] may have sensed something, because they agreed to this. [Witness2] described Fr. Mark as extremely angry and upset with him. However, the relatives insisted with Fr. Mark. [Witness2] believes that it was

only a matter of time before Fr. Mark would have done something inappropriate.

- [Witness2] explained that Fr. Mark never tried anything sexual with him, but he believes that much of what Fr. Mark did was grooming behavior. . . [App'x MM#4, pp 6–9.]

On March 6, 2018, Flannery spoke with their friend, Witness3. (*Id.* at 3–4.) Witness3 reported the following:

- [Witness3] and his wife are very good friends with Fr. Mark.

- [Witness3] did accompany [Witness2] and Fr. Mark on a road trip out West. He does not recall what year this was stating, "That was over 30 years ago." [Witness3] did confirm that both were teenagers at the time.

- [Witness3] denied that they were taken to an actual nudist camp, he stated. "We went to a beach where . . . I think clothes may have been optional. But no one else was around." He stated that there were no signs or other indications that this was a nudist beach, camp, etc.

- [Witness3] did confirm that Fr. Mark began to disrobe in front of the boys. He was hesitant to describe this in more detail stating that he recalls Fr. Mark took off his pants and shirt. When asked if Fr. Mark was naked, he responded, "I don't remember."

- This DAC asked if he felt Fr. Mark was attempting to seduce the boys. [Witness3] responded with, "I wouldn't know . . . it did make us uncomfortable. I am not willing to say that though." This DAC then requested to know if it was possible that Fr. Mark was taking his clothes off to go swimming (being at a beach) or even to sunbathe. [Witness3] stated, "I really don't know."

- [Witness3] did tell this DAC that what Fr. Mark *did was inappropriate*. He repeated this numerous times. [Witness3] does not recall if Fr. Mark said anything to the boys. [Witness3] claims that and [Witness2] simply left because they were uncomfortable. [App'x MM#4, pp 3–4 (emphasis in original).]

The report also indicated that "[Witness3] did tell this DAC that he accompanied [Witness2] and Fr. Mark on the trip at the request of [Witness2]." (*Id.* at 4.) He further stated that Fr. Mark always "had a shine for [Witness2]" and that he does know that [Witness2] did not wish to go alone with Fr. Mark on the trip. (*Id.*)

Fr. McQuesten was interviewed by Flannery on two separate occasions, on February 23, 2018, and again on June 22, 2018. (App'x MM#5, Investigative Supplement, dated February 23, 2018; App'x MM#6, Second Interview of Fr. Mark McQuesten, dated June 22, 2018.)

On February 23, 2018, Fr. McQuesten was interviewed and asked about travelling to Florida for a wedding in the late 1980s. (App'x MM#5, p 1.) "When asked who he went down with, he stated the "brothers." (*Id*.) Fr. McQuesten then provided the following information:

> - Father was told of the allegation – that he was accused of having placed his hand on the genital area of one of the brothers as they slept in bed with him. Father's first response was, "That is hard to believe." DAC responded with, "But you are not denying it." Father immediately stated "I absolutely deny it. I would never do that to anyone." During this exchange, Father still maintained open body language, he looked DAC in the eyes and maintained his composure. DAC then responded, so this individual is lying? Father firmly responded back with, "Yes, he is lying." At various times during the interview, Father was unequivocal in again stating that he did not touch or abuse any one of the brothers.
> - DAC asked Father if it was possible that he may have been sleeping with one of the brothers and when in sleep, flailed his arm towards the accuser who in turn may be misinterpreting what happened. . . . However Father responded that this was not possible because he slept alone and no one joined him in the bed.
>
> * * *
>
> - DAC inquired if Father may have done something else that would be construed as inappropriate now but that was not considered to be so back then in the 1980's. DAC listed, "Walking with your underwear on, changing in front of the boys, etc." Father caught what DAC said, responding with another denial that he touched any of the boys and also denied having done anything inappropriate at all. In fact, he stated that both he and the boys changed separately in the bathroom. Further, the only thing he can think of is that he "gave hugs to people," but these were not inappropriate in any way. [*Id*. at 2–3.]

Flannery stated regarding his February 23, 2018 interview with Fr. McQuesten: "It should be remembered that the incident occurred over 30 years ago. However, in light of no physical evidence and given the concerns noted during the interview of [Doe54], this DAC cannot attest to the fact that *clear, satisfactory, and convincing evidence* suggests that Fr. Mark touched or attempted to touch [Doe 54] in a sexual manner." (App'x MM#4, p 2 (emphasis in original).)

On June 22, 2018, Fr. McQuesten was interviewed a second time, this interview referring to comments by Witness2. (App'x MM#6, Second Interview of Fr. McQuesten, dated June 22, 2018, p 1.) In response, Fr. McQuesten provided the following information:

- Fr. Mark does not specifically recall taking [Witness2] fishing in Norway [Michigan], but stated "It is possible" since he did many activities with the [] brothers.
- Fr. Mark did affirm that he was an associate pastor in Norway and resided in an apartment at the rectory above a Fr. Elmer Bares. When asked if he kept a *Play Girl* magazine in his bathroom, Fr. Mark laughed, and continued to laugh over this without responding. DAC asked him, "So what is your answer, yes or no?" Fr. Mark stated that he never had a magazine such as this in his apartment. . . . DAC stated that [Witness2] and [Witness3] were reported to have this in his bathroom. Fr. Mark stated, "I don't think so." . . .

* * *

- DAC brought up stopping with [Witness2] and [Witness3] at various sites out West . . . DAC brought up the allegation of stopping at a nudist beach in California, Fr. Mark immediately stated, "No that was on the Columbia River. There was a public swimming area that had a sign that read, 'Clothing Optional'; it was not a nudist camp." DAC asked what the difference was between that type of beach and a nudist beach. Fr. Mark responded that he had taken the group to a beach to go swimming and did not know that the beach chosen allowed clothing to be optional. He did not seek out a "nudist beach." *NOTE – The mention of a sign that stated, 'Clothing Optional' are the same words used by [Witness3] during his interview. DAC did some research on this. . . . to access the 'clothing optional' beach, a member of the public must pay to enter the park and pass through the 'clothing required' areas, past signs that outline the nature of the beach and prohibit anyone younger than 18 from entering. DAC finds this recollection by Fr. Mark to be somewhat disingenuous. He presents the scenario that the group simply came upon or stumbled into a 'clothing optional' beach. The parks researched by DAC are designed to limit or restrict access. . . .

* * *

- Fr. Mark acknowledged that during the trip the group did sunbathe. . . . After going back and forth on this subject, DAC asked if Fr. Mark sunbathed without his shirt on. He stated he

was sure that he did. How about in the nude? DAC then related what [Witness2] alleged of Fr. Mark being nude and [Witness3] corroborating that Fr. Mark was observed taking his clothes off. Fr. Mark responded, "That is not possible." DAC asked why. Fr. Mark responded "Because I don't do that." When asked if [Witness3] was lying, Fr. Mark did not have an answer.

- DAC brought up the subject of the letters sent to [Witness2] at [the high school seminary]. DAC explained that [Witness2] alleges that the letters were very intimate in nature and made [Witness2] uncomfortable. Fr. Mark immediately stated he understands the reason for [Witness2] bringing this up, given that he often signed his letters, "With love or I love you." DAC inquired of Fr. Mark his thoughts on addressing these letters in this fashion when speaking to teenage boys – did he really feel it was appropriate? Further, [Witness2] explained that the letters took on a tone of intimacy that one shows for a lover. Fr. Mark responded, "I would doubt that." He further stated that if the letters are read, even today, the worst part of the correspondence is the use of the word "love." . . .
- DAC was very explicit and open with Fr. Mark regarding the allegation that Fr. Mark had spoken with [Witness2] about sexual activities/matters during his visits down in [Wisconsin]. Fr. Mark confirmed that on occasion, he had visited [Witness2] in high school and had taken him to movies or out for dinner. Fr. Mark responded that he recalls [Witness2] initiating conversations about sex, and the pressure he felt from his peers in being sexually active. However, these conversations took place on [] Road, when talking with [Witness2] near the family's home. When asked what was discussed or if it was possible that this subject came up – say at dinner – Fr. Mark did not recall. [App'x MM#6, pp 2–4.]

At the conclusion of this chronicling, Flannery reached the conclusion that he "cannot unequivocally stated that Fr. Mark is lying":

- All in all, DAC cannot unequivocally state that Fr. Mark is lying. DAC does not have the ability to corroborate his responses with what has been alleged to independent evidence (the event took place over 30 years ago). However, it is this DAC's professional opinion that this subject matter is causing him distress and anxiety for some reason. [*Id.* at 5.]

The Review Board of the Diocese of Marquette considered the investigation reports submitted by Flannery and ultimately concluded the allegations of sexual abuse made by [Doe54] were not "verified by the investigation." (App'x MM#8, Letter by

L. Reilly to Doe54 dated December 13, 2018.) Thus, the Review Board recommended that no further action be taken regarding these allegations. (*Id.*)

On June 27, 2018, Fr. Brad Sjoquist wrote to Bishop Doerfler that he was concerned "regarding the behavior" of Fr. McQuesten with respect to person named ERS. (App'x MM#7, Email from Brad Sjoquist to John Doerfler, dated June 27, 2018.) He wrote the following in an email:

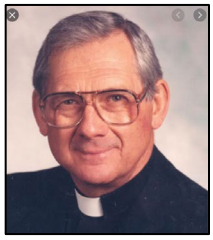
> In the past I've written you about concerns regarding the behavior of my pastor with respect to an individual named [ERS] (he goes by [a nickname]). I am grateful for your interventions and Fr. Larry [Van Damme's] interventions in some of the more problematic situations.
>
> I wanted you to know that [ERS] has been hanging around the parish again. I saw him walking around before the Sunday 7:30 am Mass at Holy Spirit, and my secretary told me that he was down in Fr. Mark's apartment for awhile today. I suspect Fr. Mark has been providing him with occasional transportation as well. My understanding was that Fr. Mark was to break off all contact with him. I do believe he did for a time, but he seems to be getting drawn into this relationship again. This is consistent with what has happened in the past.
>
> As you know, in the past, Fr. Mark has made decisions with respect to [ERS] that have caused potential liability issues for the parish and distress among staff members. There are two seminarians in residence at Holy Spirit this summer, and I don't want the situation to escalate to a point where they run into problems. I have been, in many ways, the *de facto* boundary keeper, and when I am gone, I can foresee an escalation in the situation.
>
> I know you are going on vacation soon, but as Fr. Larry is wrapping up his Vicar for Clergy ministry, I thought I should contact you as the primary person in this matter.
>
> I am reporting what staff members have told me and my personal suspicions. I have not done any kind of exhaustive investigation into these matters. If he remains non-compliant, I would strongly advise the reassignment of the seminarians. [*Id.*]

According to the parish bulletin of St. Joseph of Sault Ste. Marie of August 29, 2021, Fr. Mark McQuesten is a "retired priest."[16] He also serves on St. Joseph Association as a senior priest for the Diocese, his term expiring in December 2023.[17]

[16] See https://container.parishesonline.com/bulletins/01/1125/20210829B.pdf (Last accessed October 26, 2022).

[17] See https://Dioceseofmarquette.org/councils-boards (Last accessed October 26, 2022.)

(25) FR. JAMES MENAPACE
(LISTED ON DIOCESE AND BISHOP ACCOUNTABILITY SITE.)



Died February 3, 2022.

Removed from public ministry on July 12, 2002, but the precept was prepared and mailed to him on April 19, 2002.

According to a January 22, 1985 report prepared by Richard Sexton, Superintendent of Catholic Education (App'x JM#1, Sexton Report dated January 22, 1985), under the heading "Sexually Inappropriate Behavior" in relation to Fr. James Menapace:

> Recently I was informed that 4 years ago while at a party where he was drinking heavily he placed his hand on the breast of a Sister and attempted to fondle it. This event was seen by others present. [*Id.*, p 3.]

The report indicated that Fr. Menapace was noted to constantly joke with teenagers about "pocket pool" and they in turn joke that Fr. Menapace plays "pocket pool" with himself. (*Id.*) Additionally, "[o]ne teenage boy made an allusion to a staff member that he would never again be left alone with Fr. Jim. This boy was asked whether he was sexually abused by the pastor and he refused to respond." (*Id.*)

In July 2000, John Doe55 and John Doe56 reported to the Diocese that they were sexually abused by Fr. Menapace when they were 13 to 14 years old. (App'x JM#2, Notes of July 2000 meeting of Fr. Alexander Sample, p 1.)

On July 5, 2000, Fr. Norman Clish advised Bishop James Garland that he had received a call from the mother of Does 55 and 56 to report the sexual abuse of her sons. (App'x JM#3a, Memorandum dated July 5, 2000.) Bishop Garland placed a memo in Fr. Menapace's confidential file. (*Id.*) In that same memo: "There was a report from a [family member] as I recall, of suspicious sexual conduct and drinking beer with him when a minor, that occurred when Fr. M was campus minister at NMU. I spoke to Menapace about it and he said it was a indiscretion of no consequence sexually and that he has never had any problem of this nature." (*Id.*)

On July 11, 2000, Fr. Alexander Sample met with the boys at St. Agnes Parish in Iron River. (App'x JM#2, July 2000 Meeting Notes of Fr. Alexander Sample.) They

reported the sexual abuse occurred when they were 13 and 14 years old during the summers of 1996 and 1997. (*Id.*, p 1.) According to the boys, the sexual abuse happened at Fr. Menapace's Gulliver Lake cottage. (*Id.*) The boys were there to spend time with Fr. Menapace and to do some work for him. (*Id.*) The boys stated that the sexual abuse occurred on four extended visits. (*Id.*) They advised that alcohol consumption by Fr. Menapace often preceded the sexual abuse. (*Id.*) The sexual abuse was reported as follows:

- In the sauna – all were nude. Fr. Menapace would touch their genitals. Doe55 was made to touch Fr. Menapace's genitals. They were encouraged to masturbate themselves in his presence. (*Id.*)

- In the living room of the cottage – sometimes the genital touchings would be under their clothing, at other times on top of their clothing. (*Id.*)

- In the bedrooms – while alone, the victims would be touched by Fr. Menapace on their genitals but they both would not be present. (*Id.*, p 2.)

- They denied oral or anal sex. (*Id.*)

- Doe55 reported having one orgasm. (*Id.*)

- Fr. Menapace also enjoyed talking to the boys in sexually explicit ways, "Are you still using Vaseline?" (*Id.*)

- Fr. Menapace reassured the boys that what was going on was his problem and that he would "take care of it." (*Id.*)

A few days later on July 14, 2000, Fr. Sample also interviewed the mother who indicated that "[e]veryone wants to keep it quiet, although [Doe55] is angry and wants to see Fr. Men[a]pace put away," but that "[t]he family is satisfied with what Bp. Garland might do." (*Id.*, p 3.)

On July 14, 2000, in a conversation between Steve Lynott, the Victim Assistant Coordinator (VAC) and Father Sample, "Steve Lynott was asked by Father Sample if he could recommend a counselor for [the mother] in the Iron Mountain area. Very general and cryptic information was given about the case." (*Id.*) Further down the report:

> [Doe55] was asked about the reporting responsibility. If a counselor comes to know of abuse, he or she would be required to report it to the police.

> The only option would be for the mother to refuse to give the name of the perpetrator to the counselor, in which case there could be no name to report. But a good counselor would try to move the person to report the abuse to the authorities as part of the "healing" process. Handling it within the Church may not satisfied the therapeutic need to bring the abuser to justice.
>
> This is a tough call. You want the person to get help, but if they genuinely want to keep it quiet, then a counselor would be able to respect that. [*Id.* at 3.]

On July 18, 2000, the Diocesan response team met regarding the report of sexual abuse by Doe55 and 56. (App'x JM#4, Response Team meeting minutes dated July 18, 2000.) The team concluded that after in relation to the meeting "with the boys and their mother" that "the story seems credible." (*Id.*) The minutes noted that "[t]he family does not want to have the matter turned over to the authorities." (*Id.*) Also, "[t]he committee decided that the priest needs to be met with and confronted with the allegations" and that "a psychological assessment of the priest needs to be made." (*Id.*) The post-script to the meeting noted that there had been an earlier allegation against Fr. Menapace:

> [I]n 1994 an allegation similar in nature was made by a cousin of the priest as a result of his receiving counseling. The misconduct occurred when the [family member] was a minor (13) when the priest was a seminarian. Drinking 4 beer occurred (with) this single episode.
>
> When confronted by Bp. Garland the priest admitted the incident and passed it off as a youthful indiscretion and that he has had no trouble of this nature ever since.
>
> +JHG [James H. Garland] [*Id.* (handwritten notes).]

Also in July 2000, Fr. Menapace did admit to "inappropriate behavior" in response to Doe55 and Doe56 but he did not agree with their details. (App'x JM#6, Notification Packet, p 9.) In August of that year, Fr. Menapace was sent to St. Luke Institute and was returned to limited ministry in March of 2001. (*Id.*)

A formal precept was issued by Bishop Garland in 2000 restricting Fr. Menapace from ministry with minors. (App'x JM#6, Notification Packet, p 4.)

On June 15, 2001, another meeting occurred with Fr. Menapace. (App'x JM#5, Meeting notes dated June 15, 2001.) The following notes were recorded at the beginning of the entry, apparently in relation to the allegations of misconduct:

- Your complaint was taken seriously
- Fr. Jim went for assessment end of summer 2000
- Fr. Jim entered a residential care facility August 2000
- The course of treatment was August to March [*Id*.]

Either as a continuation of this meeting's notes or separate from the meeting, the following was recorded:

> Apologize for Jim's misconduct
>
> Thank her for bringing the allegation to light (It was courageous)
>
> It was my understanding that the family didn't want it to be public. (She is free to bring it to the authorities)
>
> Thank her for not bringing scandal to the church or priesthood. Why haven't we spoken before regarding Jim's treatment: Jim has been guarded—he doesn't want people to know
>
> If people knew he was in treatment, the fear is that it would get out I contacted Norm in January to see if we could follow-up in any way.
>
> I am glad that she raised her concern now. It made the opportunity for us to talk about it.
>
> I didn't know Jim being in Crystal Falls would [a]ffect her, because I wasn't in on the initial interviews. Apologize for not being sensitive.
>
> Fr. Jim doesn't have to do weekend helpout at Crystal Falls. If it creates too much of a hardship, I will ask him to refuse helpout. However, he may be coming for funerals, family visits, etc.
>
> For July, he is scheduled. Can he come this year? His cancellation would create a hardship at this late date.
>
> How is her family? [*Id.*, p 2.]

In a document entitled "Documentation of Request for Confidentiality in the Menapace case," there were eight entries running from July 11, 2000, to April 27, 2004, regarding the family's wish not to disclose the allegations to civil authorities and the response of the Diocese. (App'x 3c.)

August 2000 – July 18, 2002

> Through repeated contacts with Fr. James Ziminski, [the mother] is repeatedly told that the family always retains [the] right to report the abuse. It is repeatedly the family's choice not to make it public.

June 15, 2001

> Fr. Ziminiski speaks with [the mother] and reestablishes that it is the family's wish not to make the abuse public. He reminds her that the family is free to bring it to the authorities. [App'x 3c, Document regarding confidentiality, p 1.]

In April 2002, Bishop James Garland issued an updated precept against Fr. Menapace that allowed him to serve in public ministry, but he had to concelebrate with another priest present and he was allowed to help with retreats at the diocesan retreat center – provided there were no minors present. (App'x JM#6, Notification Packet, p 9.) By July 2002, Fr. Menapace was restricted from all public ministry. (*Id.* at 10.) "[Fr.] Menapace was very unhappy with this precept." (*Id.*)

On July 18, 2002, according to the document on confidentiality Fr. Ziminski writes a letter to the mother, confirming that "we are respecting the family's wishes not to make the abuse public or report it to the authorities." (App'x 3c, Document on confidentiality, p 1.) The document indicates that "if she or her sons ever wanted to report this to civil authorities, we would certainly assist and cooperate." (*Id.*)

On April 26, 2004, the document on confidentiality indicated that Fr. Alexander Sample met with Doe55, who did not want the sexual abuse reported to the civil authorities:

> Fr. Alex Sample met with [Doe55] in Crystal Falls. He told [Doe55] that the Diocese of Marquette would like to cooperate with the civil authorities in the case involving them and help report the abuse since the statute of limitations had not expired on the crime. We also wanted, however, to honor the victim's wishes. [Doe55] made it very clear that he did not wish to make the allegation public and drag the whole thing into court. He was content with the way the Church handled the case. [App'x 3c, Document on confidentiality, pp 1–2.]

On April 27, 2004, the document on confidentiality indicated that Fr. Alexander Sample met with Doe56, who also wished the matter not be turned over to the civil authorities:

> Fr. Alex Sample met with [Doe56] in Marquette. He told [Doe56] that the Diocese of Marquette would like to cooperate with the civil authorities in the case involving them and help report the abuse since

> the statute of limitations had not expired on the crime. We also wanted, however, to honor the victim's wishes. [Doe56] made it very clear that he did not wish to make the allegation public and report to the authorities. [App'x 3c, Document on confidentiality, p 2.]

On August 13, 2007, the mother called the Diocese, noting her "fear and anxiety" over the conduct of her sons, reported that Doe55 was overheard complaining that he was sexually abused by a priest and is thinking of "blowing off my [f---ing] head." (App'x JM#10, Telephone notes dated August 13, 2007.) The mother had never been told the details of the sexual abuse as her sons would not share that information with her. (*Id.*) (App'x JM#10, Telephone notes dated August 13, 2007.)

In August 2008, the mother reported to now Bishop Sample and Fr. Norman Clish that she was concerned by Fr. Menapace's conduct toward her by asking "How are my boys doing?," expressing the sentiment that the boys were "looking for attention." He also asked her "are you sorry for what you did to me?" (App'x JM#6, Notification Packet, p 21; App'x JM#7, Meeting notes dated August 13, 2008.)

On April 26, 2010, John Doe57 fatally shot himself in the head. (App'x JM#12, Letter from Jane Doe16 to Stephen Lynott with Attachments, pp 1–2.) He left behind a note. (*Id.*) This is the note in full:

> Last will and testament To Whom It May Concern
>
> This is hard to write, but we will try and finish it. Never dreamed things would get so bad. I was living the dream I thought but thing's went bad quick. I want everyone to know I did love helping other's but as of late I lost my will or desire to help. There is to[o] much hate in this area no one forgives. I hate prejudice, [ignorance], [arrogance] and [complacency]. Not sure who is mad or why, but I can't deal with it no more. I have all that was important to me. So when you get this I want no funeral. No [memorial] service. Just burn my body and spread the ashes somewhere.
>
> The same Catholic Church that got my dad, got my sister, got me. The guy that got my sister, got me. . . . What was suppose to be private quickly ran rampant to folks in county. So much for a [juvenile] record. I have lived with this guilt for to[o] long. I seek a way out. I hurt and maybe some others along the way. I am deeply sorry. Tell everyone I do love them. All I was after was forgiveness.
>
> Something NO ONE gave me. I want my stuff to go towards the dumb college loan the Stihl chainsaw needs to go back to home Ralieghs Ace Hardware. My home radio gear to Courage Center. (handiham.org).

> I have my old truck at [Name1] and [Name2]. They can have that and my old car trailer. Make them buy my toolbox about 8 grand worth of stuff down there. My golfcart is at [Name3's]. He can have that. I will not need it.
>
> God Bless. [John Doe57]
>
> There is a box of stuff on little couch for Big Island Rendezvous. Sorry all. Everyone can have some peace now.
>
> [Name4]. [Name5.] Salvation Army.
>
> Can you call my folks [name of parents] [Name4] best friend
>
> I need to have peace.
>
> Same Catholic Church got my dad & me. . . . I lived with it long enough!
>
> I miss [grandmother], [uncle], my brother []and my first collie dog []. [*Id.*, pp 2–6.]

This document was maintained by the Diocese in Fr. Menapace's file.[18]

By October 2011, Fr. Menapace was issued a canonical warning for conducting burials. (App'x JM#6, Notification Packet, p 10.) In April 2014, Fr. Menapace disregarded his obligations by celebrating Mass in a family home. (*Id.*)

On January 8, 2014, Fr. Francis Dobrzenski opened a "preliminary investigation" against Fr. Menapace regarding the allegations against him because there had been no previous "penal trial." (*Id.* at 7).

On February 10, 2014, the Diocesan lawyer Darrell Dettmann penned a letter to Schoolcraft County Prosecutor Tim Noble reporting the sexual assaults that the letter alleged to have occurred in the summers of 1996 and 1997 in Schoolcraft County. (App'x JM#13, Letter from Darrell Dettmann to Tim Noble dated February 10, 2014.) Attached was a document that detailed the allegations. (App'x JM#14, Fr. Daniel Moll's Summary.) This document was prepared by Fr. Daniel Moll, the Diocesan Canonist. (*Id.*)

In the February 10, 2014 letter, the Diocese indicated that the allegations of sexual abuse was first reported to Bishop Garland in 2000. (App'x JM#13, Letter from

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[18] On January 2, 2015, Jane Doe16 reported the sexual abuse by Fr. Menapace she alluded to in her brother's suicide notes. (*Id.*, p 1.)

Darrell Dettmann to Tim Noble dated February 10, 2014, p 1.) The letter addressed the timing of the disclosure:

> The allegations were first reported to Bishop Garland in 2000, and at the time of that reporting the victims were no longer minors, and the disclosure occurred before Michigan's Child Protection Law was amended to add clergy as mandatory reporters (2003). During that time subsequent to the report, the Diocese offered support to its victims through counseling and they were encouraged to report the matter to civil authorities. However, the victims requested of the Diocese that the matter remain private, and the Diocese respect their wishes in that regard.
>
> Periodically the Diocese would contact the victims, as well as the victims' mother to request that they allow the Diocese to report this matter civilly. During those subsequent contacts, the victims and their mother requested that the Diocese not report the matter.
>
> The Diocese determined recently that the Diocese no longer felt that withholding this matter from reporting was appropriate, and again approached the victims expressing a strong desire on the part of the Diocese to report this matter. The victims and their mother, indicated that they were willing to allow the Diocese to make a civil reporting, and hence my letter to you. One of the victims is willing to have you contact him and speak with him. If you are interested, please contact me and I will obtain the necessary contact information for you. [*Id.*]

Finally, the letter indicated that as of July 12, 2002, the Diocese imposed a restriction against Fr. Menapace that he could no longer perform public ministry, was not to wear clerical garb, and not appear in public as a priest. (*Id.*) The letter also noted "because this matter was not handled by the Diocese in the usual fashion, no public announcement of this was made." (*Id.*, p 2.) The letter concludes that "I am requesting that this information be held confidentially by you in your capacity as prosecuting attorney." (*Id.*)

At the time of this 2014 letter from the Diocese, more than ten years had elapsed, and the statute of limitations expired.

On June 22, 2014, Stephen Lynott wrote a memorandum to Fr. Menapace's file indicating that he received a phone call from another mother. (App'x JM#15a, Memorandum dated June 22, 2014.) The mother called him to report that her son was sexually abused by Fr. Menapace on numerous occasions in the late 1990s at his cabin on Gulliver Lake. (*Id.*) The mother is a relative of Fr. Menapace. (*Id.*) Her son, John Doe58, was between the ages of 7 and 9 at the time of the alleged sexual abuse. (*Id.*) He disclosed the alleged sexual abuse to his mother in

approximately 2010. (*Id.*) She explained that a recent incident moved her to call the Diocese. (*Id.*) She reported that Doe58 was reluctant to discuss the details of the abuse but indicated he reported it happened multiple times over a 2-to-3 year period in the sauna, or while he was sleeping in bed with Fr. Menapace. (*Id.*)

Also, in this June 2014 memorandum, it noted that the mother was angry because Fr. Menapace celebrated a private Mass in a family home on April 27, 2014, attended by approximately 10-to-15 of her relatives including minor children. (*Id.*) She was not present but understood that as part of his precept, Fr. Menapace was not allowed to do this type of ministry. (*Id.*)

On June 30, 2014, the Diocese sent a letter to the Schoolcraft County Prosecutor, Tim Noble, outlining the report from Doe58's mother. (JM#15b, Letter from Darrell Dettmann to Tim Noble, dated June 30, 2014.) In the letter, the attorney Darrell Dettmann noted that "[t]he Diocese believes that this is a credible allegation based upon a prior incident report to you" in reference to the February 2014 letter. (*Id.*) A law enforcement investigation was later attempted by the Michigan State Police. Apparently, Doe58 did not respond to attempts by law enforcement to interview him.

In September 2014, the Diocese issued a public announcement about Fr. Menapace. (App'x JM#16, Memorandum dated September 23, 2014.)

On September 23, 2014, Steve Lynott received two phone calls, the first being from Witness1. (App'x JM#16, Memorandum, dated September 23, 2014.) Witness1 indicated he read a news article about Fr. Menapace being accused of sexual abuse. (*Id.*) He was currently living in New York and wanted to share an incident that occurred when he lived in the Sault Ste Marie area. (*Id.*) He said that he and his brother along with another youth named John Doe61 were befriended by Fr. Menapace who was stationed in a parish there in the mid-1960s. (*Id.*) According to diocesan record, Fr. Menapace was the parochial vicar at Holy Name of Mary Parish in Sault Ste Marie in 1965. (JM#6, p 3.) He reported that Fr. Menapace took them camping and they would all sleep together in a small camper. ((App'x JM#16, Memorandum, dated September 23, 2014.) Nothing happened when they were all together. (*Id.*)

In this September 2014 call, Witness1 said that one time, Fr. Menapace took only Doe61 with him and Doe61 reported to Witness1 that during the sleep-over in the camper Fr. Menapace touched him. (*Id.*) Witness1 said he did not believe it at the time but believes it now. (*Id.*) He wanted the Diocese to know that Fr. Menapace's sexual abuse went further back in his career, and he wanted to back Doe61 up should he choose to share this incident with the Diocese. (*Id.*)

For this second call from September 2014, John Doe62 reported to Lynott that when he was living in Marquette Fr. Menapace befriended him and two other boys, John

Doe63 and John Doe64 from St. Michael's Parish in Marquette. (*Id.*) According to diocesan records, Fr. Menapace was the parochial vicar of St. Michael's in 1963. (App'x JM#6, p 3.) In this call, Doe62 said the boys were 16 at the time and Fr. Menapace joined them swimming. (App'x JM#16, Memorandum, dated September 23, 2014.) He reported that Fr. Menapace stripped off all this clothes and invited the boys to do the same, which he said they did. (*Id.*) Doe62 is a teacher now and realizes how inappropriate this behavior was; however, he did not realize anything was amiss at the time. (*Id.*) In addition, Doe62 reported that Fr. Menapace served them alcohol in the rectory at St. Michael's. (*Id.*)

On September 25, 2014, Diane Tryan (Victims' Assistance Coordinator) received a phone call from John Doe59. (App'x JM#17, Memorandum dated September 26, 2014.) He reported that when he was a young man in 1983 or 1984 he went with some other boys to Fr. Menapace's cottage. (*Id.*) Fr. Menapace allegedly gave them alcohol and showed them he was not circumcised. (*Id.*) According to this report, Doe59 and other another boy were in the sauna, and Fr. Menapace allegedly grabbed his friend's penis. (*Id.*) Doe59 reported that his friend punched Fr. Menapace and they both left the sauna. (*Id.*) They never returned to the cottage after this incident. (*Id.*) He told his mother "that man is f . . . ing queer." (*Id.*) (excision in original).

Further, Doe59 stated, "It changed my life." (*Id.*) He explained that he was reporting because he wanted the Diocese to be aware that Fr. Menapace's sexual abuse was not limited to the 90s but that he was sexually abusive before then. (*Id.*)

On October 16, 2014, Diane Tryan received a phone call from a man initially wishing to remain anonymous. (App'x JM#19, Memorandum dated October 16, 2014.) His parents were very close to Fr. Menapace, using the word "worshipped" to describe how they felt about him. (*Id.*) He said that he knew that it would crush his mother (who was still alive at the time of the report) to learn of the sexual abuse but that he wanted to add credibility to the voices of those who had come forward. (*Id.*) He reported that when he was 8 or 9 years old, Fr. Menapace took him and two other boys on a camping trip. (*Id.*) He alleged that he was forced to sleep with Fr. Menapace and was sexually abused the entire first night. (*Id.*) He said that he asked to go home but Fr. Menapace would not take him. (*Id.*) He was allowed to sleep in his own bed the next night. (*Id.*) He said that when he was asked to return to Deer Lake he refused and threw a fit. (*Id.*) He said his confused parents did not understand his reaction. (*Id.*) At the time of the report, he felt that he could never tell anyone in [town] because it was such a tight-knit community. (*Id.*) His mother was very involved at the church and was part of a group of families whose lives revolved around the church. (*Id.*) According to the diocesan records, Fr. Menapace was the pastor of St. Francis Xavier Parish in Brimley beginning in 1967. (App'x JM#6, p 3.) Per the caller, the sexual abuse would have occurred around 1969. (App'x JM#19, Memorandum dated October 16, 2014.) He eventually shared his name as John Doe60, but he did not want the information made public. (*Id.*)

On October 17, 2014, the Diocese sent a letter to the Chippewa County Prosecutor, Brian Peppler, regarding the allegations by Doe60 against Fr. Menapace. (App'x JM#19b, Letter from Darrell Dettmann to Chippewa County, Brian Peppler, dated October 17, 2014.) In the letter, the attorney for the Diocese noted that the "individual who requested that he remain anonymous" but that "there have been other victims for which I have made reports to other prosecuting attorneys regarding Father James Menapace." (*Id.*) Regarding this specific claim, the letter noted that "[w]e are in the very early stages of investigating this matter, but given the fact that there are more than one victim making allegations against this particular priest, the Diocese has very early on determined that this is likely a credible allegation." (*Id.*)

On October 26, 2014, Jane Doe16 spoke with Lynott and indicated that Fr. Menapace had sexually abused her family and it was kept secret. (App'x JM#20, Memorandum, dated October 2014, p 1.) She indicated that when she was 9 years old she walked in on him abusing her brother John Doe57, then 11 years old, and John Doe65, then 7, in the sacristy in Crystal Falls. (*Id.*) The boys were altar servers. (*Id.*) She said that the boys were both naked and performing fellatio on Fr. Menapace. (*Id.*) When Jane Doe16 was older, her father disclosed to her that he and his brother (her uncle) were abused by Fr. Menapace in the 1950s. (*Id.*) It appeared this would have been when he was a seminarian. (*Id.*, pp 1–2.) Her father and uncle were also altar servers. (*Id.*, p 2.)

As a part of this report from October 2014, Jane Doe16 explained the depth of harm Fr. Menapace's sexual abuse had caused her family: "Her father became alcoholic as an adult and was physically abusive to her mother. . . . Jane Doe16's brothers . . . sexually abused her later in life." (*Id.*) And she advised the suicide of her brother John Doe57 at 39 years old (see pp 96–97, Doe57's suicide note above; see also App'x JM#12, Letter from Jane Doe16) was related to Fr. Menapace's sexual abuse of him. (*Id.*) Finally, she said that she was told of Fr. Menapace's sexual abuse of the boys in 1989 and that the boys were 7 or 8 years old. (*Id.*) She remembered because she was pregnant with one of her children and was quite clear about it. (*Id.*) She says that Fr. Menapace was told to stay away from Crystal Falls and that many were upset by his return for a family reunion in 2011. (*Id.*) Fr. Menapace is related to Jane Doe16 and John Does 55 and 56. (*Id.*, p 1.)

On October 31, 2014, Bishop John Doerfler sought the advice of the Review Board as whether the reports were credible. (App'x JM#6, Notification Packet, p 17.) There was a unanimous finding that the reports were indeed credible. (*Id.*)

When confronted on March 2, 2015, regarding Does55 and 56, Fr. Menapace denied having touched the boys, merely teaching them how to masturbate and indicating that he too was sexually abused by a "monsignor" when he was 14 or 15 years old. (App'x JM#6, Notification Packet, p 21.)

On June 8, 2015, a family member spoke with Diane Tryan to report that her brother confided in her many years ago that when they were attending Lake Superior State University as students, Fr. Menapace, who was ministering at the Newman Center, approached him and propositioned him. (App'x JM#18, Memorandum dated June 8, 2015.) Her brother was a teenager at the time, and they believed that Fr. Menapace was using the Center to patrol for victims. (*Id.*) Her brother killed himself at the age of 31. (*Id.*)

On August 13, 2015, Bishop Doerfler prepared a notification to the Congregation for the Doctrine of the Faith regarding the reports of sexual abuse against a minor for Fr. Menapace. (*Id.*)

On September 10, 2015, the Congregation for the Doctrine of the Faith instructed Bishop Doerfler to impose a penal precept upon Menapace, restricting his public exercise of ministry and instructing him to a life of prayer and penance. (App'x JM#21, Letter dated September 10, 2015, from Archbishop Augustine Di Noia to Bishop John Doerfler.)

A final letter dated March 11, 2016, indicates that "Menapace, a priest incardinated in the Diocese of Marquette, who was accused of having offended *contra sextum decalogi proeceptum cum minore* (cf. can. 1395 sect 2 CIC). He was also accused of having offended contra sextum with an adult woman which resulted in her becoming pregnant." (App'x JM#22, Letter dated March 11, 2016, from Archbishop Augustine Di Noia to John Doerfler.) The letter was signed by Archbishop Augustine Di Noia, O.P., Adjunct Secretary. (*Id.*)[19]

[19] There is no other information in the files related to Fr. Menapace impregnating an adult woman.

(26) FR. PETER MINELLI



Died November 30, 2017.

Restricted from ministry in 2002, and removed from priestly ministry in 2014.

On March 24, 1982, a memorandum was placed in Fr. Peter Minelli's file indicating that a brief meeting was held on February 24, 1982, that included Bishop Mark Schmitt and Fr. Charles Strelick (see entry No. 40 below) where they informed Fr. Minelli that he was to move from the residence on Rock Street no later than March 1, 1982. (App'x PM#4, Memorandum dated March 24, 1982, p 1.) His diocesan duties and appointment were to cease on March 1, 1982. (*Id.*) Fr. Minelli was to report to the Center for Human Development in Washington, D.C. the first week of March 1982. (*Id.*) According to this memorandum, Fr. Minelli's readmission to the Diocese would depend on his obedience to the above directives of the bishop; his failure to comply with any of these directives would result in suspension of his Diocese faculties on March 8, 1982. (*Id.*) It is not clear from the file what Fr. Minelli had done to warrant such directives.

In 1993, John Doe66 reported to Bishop James Garland that while meeting with Fr. Peter Minelli as his "counselor," Fr. Minelli lured him into anal penetration and fondling. (App'x PM#1, Letter from Doe66 to James Garland, pp 1–2; App'x PM#2, Letter to Peter Minelli, pp 1–2.) Fr. Minelli was sent to St Luke Institute. (App'x PM#3, Letter from Stephen Lynott dated July 13, 2001, to Michelle Short, p 1.)

In the previous year, on November 2, 1992, an anonymous letter was received, written to Fr. Minelli, reading in part:

> It's been a long letter over due to tell you how I feel about what you did to me. I have had a real difficult time dealing with you and what you did to me. I feel so angry that I left you touch me. I trusted you because you are a priest, a man of God. I put all my trust in your hands. And you betrayed me. You sexually played with me and it was wrong. You were wrong. I came to you because I needed help.
>
> I was confused and needed your help. You said you would counsel me. And I believed you. [App'x PM#2, Letter to Fr. Peter Minelli, p 1.]

The letter goes on for an additional page and is signed "Z" above the same mailing address that appears on letters sent by Doe66. (Compare App'x PM#2, 1992 Letter to Peter Minelli, p 2, to App'x PM#5, Letter from Doe66 to Bishop James Garland.) This letter was therefore likely written by Doe66.

A second letter, postmarked December 18, 1992, was sent to Bishop Garland. (App'x PM#1, Letter from Doe66 to Bishop James Garland.) The handwriting is similar to that signed by "Z." (Compare App'x PM#2, Letter to Fr. Peter Minelli, to App'x PM#1, Letter from Doe66 to Bishop James Garland), but this one was signed by Doe66. Doe66 indicates that "10 years ago Father Minelli used to play with me. I went to him for counseling after a nervous (partial) breakdown." (App'x PM#1, Letter from Doe66 to James Garland, p 1.) Doe66 goes on to say that Fr. Minelli "said that this was part of the healing process. I believed him because he is a priest. I trusted him. I put all my trust in him and he fucked me over." (*Id.*)

In late 1992, Rick Schaefer interviewed Doe66, who indicated he was 38 at the time of the interview. (App'x PM#10, Doe66 Interview Notes, p 1.) Doe66 stated that he was sexually abused in 1982 or 1983, making him around 28 years old at the time of the abuse. (*Id.*) According to Doe66, Fr. Minelli began counseling at his office and eventually had him come to his home. (*Id.*)

Doe66 explained that Fr. Minelli gained his trust by saying that he had gone through the same type of traumatic experience. (*Id.*) He further described that Fr. Minelli would have him lie on the bed with the lights off, he would remove Doe66's pants and touch his penis. (*Id.*) Doe66 said that Fr. Minelli would also touch Doe66 with his own penis. (*Id.*) This occurred approximately twelve times over a few-month period he said. (*Id.*) Doe66 acknowledged that he wrote a letter to Fr. Minelli approximately six weeks earlier, but said he never got a response. (*Id.*, p 2.) Doe66 said that he was mostly concerned with making sure Fr. Minelli did not do this to others. (*Id.*) The interview notes state that Mr. Schaefer assured Doe66 that there were processes in place to deal with Fr. Minelli. (*Id.*, p 3.)

In June of 1993, Doe66 indicated he had put the matter behind him (App'x PM#13, Annotated Letter from Peter Oberto to Doe66 dated June 16, 1993), but in 1994, he wrote again to the Diocese concerned that Fr. Minelli had adopted a son. (App'x PM#12, Annotated Letter from Doe66 to Bishop James Garland dated August 31, 1994.) In a telephone call on August 31, 1994, Bishop Garland noted the following "points of [his] response": "(1) no laws against it; court study, judge decision[,] (2) person is adult; away in school, [and] (3) professional advice: healthy and not harmful relationship." (*Id.*) Bishop Garland added the following as indicated by his initials, "[Doe66] received an anonymous typed letter asking if he knew Fr. Minelli adopted a son. He wanted to make sure this was not a situation that he was put in." (*Id.*)

In 1997, it was allegedly discovered that Fr. Minelli was "indulging in Internet pornography, had 'unusual' counseling relationships with males." (App'x PM#3, Letter from Stephen Lynott dated July 13, 2001, to Michelle Short, p 1.) He was reprimanded for this behavior, given restrictions to his ministry, and reassigned parishes. (*Id.*)

In July 2001, Fr. Minelli's computer crashed. The repair man reported that he found a "great deal of pornography." (*Id.*, p 2; App'x PM#6, Intervention Notes, dated July 11, 2001, p 1.)

On April 11, 2002, the brother of Doe67 reported to Bishop Garland that Doe67 was propositioned by Fr. Minelli in the mid to late 1970s while a student at Northern Michigan University. (App'x PM#7, Meeting Notes dated May 20, 2002, pp 1–2.) Fr. Minelli claimed to have no recollection of this incident. (*Id.*, p 2.)

On April 15, 2002, John Doe68 reported that when he was 14 years old when Minelli fondled him, and he was made to touch Minelli. (*Id.*, p 1.) Doe68 and Fr. Minelli were childhood friends, with Fr. Minelli being 3 to 4 years older than Doe68 and attending seminary at the time of the assault. (*Id.*) When confronted about this incident, Fr. Minelli claimed to not remember the incident, but did not deny it either. (*Id.*)

On May 20, 2002, a meeting was held with Fr. Minelli in relation to the sexual abuse reports with Frs. Desrochers (see entry No. 7 above), Alexander Sample, and James Ziminski in attendance. (*Id.*) The following was detailed under "observations" about the author's conclusions that Fr. Minelli's "made no sense":

> As Fr. Minelli addressed several of the situations of misconduct presented to him, his responses contained either a misrepresentation or a skewing of the facts. Either he was lying or he is not in complete touch with reality. Fr. Minelli claimed that his doctor told him he was dying (When his doctor was contacted by Mr. Lynott, the Dr. Urban denied it). Fr. Minelli claimed that he always admits to his bad behavior (Fr. Ziminski has personally caught him in lies and denials.) Fr. Minelli stated that he never tried anything sexual with his adopted son (his adopted son got into an altercation with the parish janitor at St. Ann Parish in which he claimed Fr. Minelli attempted to abuse him on a vacation). When Fr. Ziminski mentioned this, Fr. Minelli tried to explain the incident with a muddled logic and excuse: "He was just mad at the janitor because the janitor was supportive of me." It made no sense. [*Id.*, p 2.]

On August 20, 2002, Bishop Garland imposed a precept on Fr. Minelli that his ministry was restricted. (App'x PM#11, Letter from Bishop John Doerfler to Fr. Peter Minelli, dated December 23, 2014, p 1.) He was not to engage in counseling,

private talks, missions, or retreat work. (*Id.*) He was not allowed to hear confessions unless asked by an individual. (*Id.*)

On November 21, 2013, John Doe69 reported to Fr. Francis Dobrzenski and Kevin Branson that he was sexually abused by Fr. Minelli. (App'x PM#8, Meeting Notes dated November 21, 2013, p 1.) Doe69 stated he was coming forward then because he saw an article about a dead Jesuit priest and saw Fr. Minelli on a plane recently, which led him to come forward. (*Id.*)

In this 2013 meeting, Doe69 reported that he came to visit his sister in 1981. (*Id.*) She was a staffer for St. Peter's/St. Michael's and was involved in the Cathedral charismatic prayer group. (*Id.*) Fr. Minelli went to dinner with Doe69. (*Id.*) After dinner, Fr. Minelli asked Doe69 if he wanted to see the chapel and pray with him. (*Id.*) Doe69 agreed. (*Id.*) According to Doe69, while they were on the kneelers in the upper chapel of the Cathedral, Fr. Minelli kissed his face, put his tongue in his mouth, and told Doe69 that he reminded him of Jesus. (*Id.*) Doe69 also said that Fr. Minelli groped him with his hands and wanted him to unzip his pants. (*Id.*) Doe69 said he refused. (*Id.*)

Attached to its response to a survey from the Center for Applied Research in the Apostolate, the Diocese of Marquette attached a document entitled Receipt of the Complaint. (App'x PM#9, Survey Response, p 7.) It was unsigned but had the names of Reverend Francis Dobrzenski, Diocesan Administrator, Diocese of Marquette and Father Daniel Moll, Ecclesiastical Notary, Diocese of Marquette. (*Id.*) It stated in relation to the interview with Doe69:

> On 21 November, 2013, I, the undersigned Administrator for the Diocese of Marquette, received a complaint against the Reverend Peter A Minelli, a priest of this Diocese, alleging that he had committed an act of sexual abuse of a person above the age of majority and in the presence of the Most Blessed Sacrament, in violation of CIC, c, 1395 section 2 and c. 1389.
>
> I received the complaint from [Doe69], the victim of the alleged abuse, in person, with the Director of Ministry Personnel, in the Bishop Baraga Room at the chancery in Marquette.
>
> [Doe69] alleges that Reverend Minelli sexually abused him in 1981, when he was 24 years old. The alleged abuse occurred on only one occasion. The alleged abuse occurred in the chapel, in the presence of the Most Blessed Sacrament at Reverend Minelli's residence near the Cathedral of St. Peter in Marquette.
>
> The alleged abuse included the following acts: forced kissing, groping of his genitals, and a request that he unzip his pants in Reverend Minelli's chapel. [*Id.*]

By late 2014, Bishop John Doerfler amended the 2002 precept and restricted Fr. Minelli's ministry even further by not letting him practice any public ministry. (App'x PM#11, p 2.) Prior to the amendment to his precept, Fr. Minelli was allowed to concelebrate Mass so long as another priest was present. (*Id.*) Fr. Minelli died in 2017.

In a letter dated March 13, 2025, the Diocese of Marquette reported that it had received an allegation against Fr. Minelli that John Doe89 "stated that when he was in high school in the 1990s he was molested by Fr. Peter Minelli at St. Ann's Parish in Escanaba over a period of four years." (App'x PM#12, Letter from diocesan counsel to the Department of Attorney General, dated March 13, 2025, p 1.) The diocesan victim advocate coordinator offered John Doe 89 an opportunity to meet and speak with Bishop Doerfler and offered counseling, "both of which he accepted." (*Id.* at 2.) The letter from the Diocese indicated that the allegation against Fr. Minelli was "credible because the facts of the allegation align with Fr. Minelli's assignment at St. Ann's Parish and reports of similar behavior." (*Id.* at 2.) Some months earlier, John Doe89 had reported these allegations to the Department, alleging that Fr. Minelli would "offer massages, tell [John Doe89] that [he] is probably gay, masturbated [him], oral sex performed, [and] raped." (App'x PM#13, Tip from John Doe89, dated November 11, 2024.)

(27) FR. ALBERT MLIGO

Presumed alive.

On March 26, 2014, Jane Doe17 called Steve Lynott, who is the victim assistance coordinator for the Diocese to report an act of sexual misconduct by Fr. Mligo. (App'x AM#2, Report on "Abuse Allegation.") Doe17 was an employee at St. Joseph Parish in Ishpeming. On April 1, 2014, Doe17 came to the diocesan office to report the act in person indicating that she had previously discussed the matter with Fr. Greg Heikkala. (*Id.*) Lynott noted that Doe17 seemed "clear in her memory, rational and believable." (*Id.* at 1.) Doe17 reported that Fr. Mligo was visiting from Tanzania in East Africa, and she said that he pressured her on three occasions to have dinner in her home. (*Id.*) She felt it was inappropriate as she is a single woman and refused or ignored his requests. (*Id.*)

According to the report, on the day of the incident, she explained that Fr. Mligo came into her office at the parish and asked for something to eat. (*Id.*) They were alone and when she got him a snack from the refrigerator and he thanked her. When she turned away, she described that "he gave her a very forceful slap on her rear." (*Id.*) Moreover, according to the report, her response was to be speechless and very surprised; saying nothing, she left the room. (*Id.*) The report further indicated that she later disclosed the slap to two parish families. She also said that she disclosed it to "Fr. Jim," referring to Fr. James Challancin, who was sick at the time and subsequently died in February 2013.[20] The report noted that Fr. Challancin later advised her that "We had a talk with Fr. Mligo." (*Id.*, at 2.) Doe17 said that she later disclosed the abuse to the Diocese because she was concerned Fr. Mligo would return to the parish. (*Id.*) On April 2, 2014, the report noted that "in a phone call to Fr. Greg Heikkala he verified the events as told to me by Doe17, and he asserted that she is a credible person, that he believes the account of her incident with Fr. Mligo." (*Id.*)

On May 6, 2014, Bishop John Doerfler informed the clergy of he "received a credible allegation of misconduct against Reverend Albert Mligo" from the Diocese of Mbeya in Tanzania from a 2011 trip. (App'x AM#3, Memorandum dated May 6, 2014.) The memorandum noted that "[t]he allegation involves inappropriate and uninvited physical contact with an adult parish employee." (*Id.*) The memorandum further noted that "Father Mligo no longer has permission to enter and practice priestly ministry with the Diocese of Marquette." (*Id.*)

On May 19, 2014, Bishop Doerfler also wrote the bishop of Mbeya, Bishop Evaristo Marc Chengula, IMC, noting that he "had received a credible allegation of misconduct against Reverend Albert Mligo" and that he "no longer has permission

[20] See https://www.miningjournal.net/obituaries/2013/02/rev-fr-james-p-challancin/ (Last accessed October 26, 2022).

to enter and practice priestly ministry with the Diocese of Marquette." (App'x AM#4, Letter to Bishop of Mbeya.)

On June 18, 2014, Bishop Doerfler notified the General Secretary of the National Conference of Catholic Bishops, Monsignor Ronny Jenkins, that it has received "a credible allegation of misconduct" against Fr. Alberto Mligo of the Diocese of Mbeya (Tanzania). (App'x AM#5, Letter to NCCB.) The letter indicated that the misconduct occurred during a fundraising trip to the Diocese of Marquette in 2011, when Fr. Mligo was purportedly raising funds for a mission parish and hospital in Matamba, Tanzania. (*Id.*) The letter also stated that there were questions that arose relating to the fundraising practices used by Fr. Mligo. Thus, Bishop Doerfler advised Msgr. Jenkins that Fr. Mligo "no longer has permission to enter into and practice priestly ministry" within the Diocese, and that the Diocese no longer able to provide support to the mission parish and hospital in Matamba to which Fr. Mligo's fundraising activities related. (*Id.*)

The Diocese reported Fr. Mligo to the Michigan State Police. Michigan State Police troopers reached out the Doe17 to interview her in an attempt initiate a criminal investigation. Doe17 indicated she believed the Diocese handled the matter and was not interested in participating in a criminal investigation.

(28) FR. ROBERT MONROE

Died September 16, 1980.

On June 5, 2002, Catholic Social Services (CSS) reported to the Diocese that, a CSS manager met with John Doe70 at the offices to report sexual abuse by Fr. Robert Monroe in the mid 1960s while Doe70 was attending St. Mary's parish in Sault Ste. Marie. (App'x RM#1, Notes from "secret archive," dated June 10, 2002.) According to Doe70, while he was between the ages of 5 and 7 years old, he and several other boys were sexually abused by Fr. Monroe in a small room in the back of the church. (*Id.*) Doe70 said the sexual abuse involved masturbating Fr. Monroe and orally stimulating Fr. Monroe's finger while Fr. Monroe masturbated himself. (*Id.*)

On October 21, 2005, Jane Doe18 reported that she was sexually abused by Fr. Monroe during 1968–69 when she was four years old. (App'x RM#2, Archdiocese of Detroit Allegation Intake Form, p 1.) She indicated that Fr. Monroe was a frequent visitor in her home because her father was a coach and teacher at the Catholic school. (*Id.*, p 2.) Doe18 recounted that once while Fr. Monroe was visiting, he had her in his lap "to tickle her"; Doe18 explained that this was her euphemism for masturbation, and he stuck his finger inside her vagina. (*Id.*) As she described it, Fr. Monroe suddenly jammed his finger up inside of her, causing her to jump up, yell, and shake her finger at him, saying, "You can tickle me, but you can't put your finger in me—that hurt." (*Id.*) Her mother took her into the kitchen and saw a spot of blood in her underwear. (*Id.*) Her mother got angry, to which Fr. Monroe said, "I think I'm going to leave now." (*Id.*) Doe18 said the sexual abuse occurred approximately ten times. (*Id.*) She indicated that as she grew older her friend Jane Doe19 in 6th grade told her that she too was "tickled" by Fr. Monroe. (*Id.*, p 3.) Monsignor Ricardo Bass of the Archdiocese of Detroit responded to Doe18 and let her know that he had contact Fr. Sample, Chancellor of the Marquette Diocese, about her report and that the Marquette Diocese was willing to assist her in any needed therapy. (App'x RM#3, Letter dated November 1, 2005, from Msgr. Bass to Doe18 with a copy to Fr. Alexander Sample.) On October 27, 2005, Thomas Van Dusen reported this sexual abuse allegation to attorney Darrell Dettman. (App'x RM#4, Letter dated October 27, 2005, from Van Dusen to Dettmann.)

On May 9, 2009, Sr. Ellen Enright, Campus Minister at MTU received an email from Jane Doe18, a student she knew from the late 1960s when Sr. Ellen was "assigned to the Soo" (Sault Ste. Marie) and served under Fr. Monroe at St. Mary's Parish. (App'x RM#5, Notes dated May 13, 2009, from Stephen Lynott, Director of Ministry Personnel Services.) Doe18 said she reported this sexual abuse to the Archdiocese of Detroit in 2005 and provided three detailed and emotional interviews. (*Id.*) She was very angry that she would have to "report" again, which is why she had not reported it again until this email to Sr. Enright. (*Id.*) Sr. Enright contacted Steve Lynott to report these allegations and her contact with Doe18. (*Id.*)

In 2009, the Review Board Data Sheet indicates that John Doe70 and Jane Doe 18's reports were "validated" by the Board. (App'x RM#6, Review Board Data Sheet.) Under remarks it noted, "Two similar allegations against Fr. Monroe, unrelated in any way make a case for validation of the claim." (*Id.*)

On August 13, 2018, Stephen Lynott received a phone call from Jane Doe21, who at the time was approximately 48 years old and the mother of six children. (App'x RM#7, Abuse Allegation Report submitted by Lynott on August 13, 2008.) Doe21 stated that when she was 10 years old and living in Sault Ste. Marie, Fr. Monroe recruited her to be an altar server at Nativity Parish. (*Id.*) She indicated that on two occasions he forcibly kissed her mouth, which she found to be very upsetting. (*Id.*) She now believes he was grooming her. (*Id.*) She reported believing that God saved her when Fr. Monroe became gravely ill and died a few months later. (*Id.*) Stephen Lynott recounted that when Doe21 was told there were other victims, "[s]he had a very strong emotional reaction. There was great relief to know that she was not his only victim, that none of this was her fault, that he had treated a number of boys and girls in the same fashion or worse." (*Id.*)

On July 11, 2019, Doe18 emailed the tip line to report that Fr. Monroe had sexually abused her. (App'x RM#8, tip #527.) She reported the following:

> I was sexually molested by Father Robert Monroe (deceased) of St. Mary's Pro Cathedral in Sault Ste. Marie in 1968–1969. [Bishop] Charles Salatka (deceased) was bishop at the time and was made aware of the allegations in early 1969. My mother caught Fr in the act just before 5th birthday." [*Id.*]

(29) FR. AARON NOWICKI
(LISTED ON DIOCESE AND BISHOP ACCOUNTABILITY SITE.)

Alive.

Removed from public ministry in 2019.

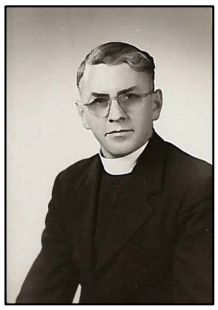
Redacted.

(30) FR. VINCENT OUELLETTE

Died 1998.

On July 19, 2004, John Doe71 reported to the Diocese that his family member Fr. Vincent Ouellette had sexually abused him when he was 13 years old on a trip to Minnesota while sleeping in the same bed. (App'x VO#1, Memorandum of Bishop James Garland dated January 19, 2004, to File.) It is noted in the report that this was the third time Doe71 had attempted to meeting with Bishop James Garland, but fear had deterred him in the past. (*Id.*) Doe71 reported to Bishop Garland that he had "never told anyone in his family and doesn't want anyone to know of this." (*Id.*) Further, Doe71 reported having confronted Fr. Ouellette at the time of his marriage and the family member said he "did not remember it." (*Id.*) Doe71 asked Bishop Garland to hear his confession and bless his camper to which he obliged; Bishop Garland noted that "[Doe71] left with a sense of ebullience and well-being." (*Id.*)

(31) FR. WILFRED PELLETIER



Died December 20, 1973.

Fr. Wilfred Pelletier was Administrator at St. Edward in Alpha from 1957 to 1960. (App'x WP#1, Handwritten History.) He took when he took a leave of absence in 1960, went to Jemez Springs, N.M. in 1961, and again took a leave of absence in 1965. (*Id.*) By 1971, he began serving at Bishop Noa's Home and served as the pastor at St. Ann Catholic Church in Chasselle. (*Id.*)

The notes document several instances of concerns expressed internally at the Diocese. The source of these notations is unclear:

- "Letter of Aug 23, 1950 Fr. Dengfelder to Bishop Noa – some expression of moral concerns."
- "References to unpriestly conduct – 1950."
- "1956 concern over drinking and association with minors."
- "July 1957 – supplying alcohol to an 18 yr old boy (Naubinway [Village])."
- "1962 – while at Jemez Springs – word of an arrest warrant for contributing to the delinquency of a minor. Reference to H.S. exacerbated by drinking." [*Id.*]

On November 3, 2005, John Doe72 reported to Father Alexander Sample that he was sexually abused by Fr. Pelletier in the late 50s and early 60s and that a friend of his experienced like abuse. (App'x WP#2, Phone Call Notes.) He reported he was 16 or 17 years old and that the recent report of Fr. Clement LePine (see entry No. 23 above) encouraged him to come forward now. (*Id.*) Doe72 reported the sexual abuse occurred in Alpha when he was living with his grandparents. (*Id.*) Fr. Pelletier was a heavy drinker, according to Doe72, which is consistent with other notes in Fr. Pelletier's file. (*Id.*; App'x WP#1, Handwritten History.) According to this report, Fr. Pelletier would supply Doe72 and his friend with alcohol. (App'x WP#2, Phone Call Notes.)

In this 2005 report, Doe72 explained that Fr. Pelletier would take them fishing, hunting, and gave them money. (*Id.*) Doe72 said the sexual abuse mostly occurred in the rectory for approximately two years. (*Id.*) The notes indicate: "They were molested quite a bit." (*Id.*) The notes indicated that the sexual abuse involved genital activity, "including oral sex performed by Fr. Pelletier on [Doe72] and his friend." (*Id.*) Doe72 stated "they were so young, and he was supplying them with money and alcohol, so they went along." (*Id.*) Doe72 reported that he and his friend got caught by the police in a cabin with two girls. (*Id.*) The police asked them where they got the beer and they told the police is was Fr. Pelletier. (*Id.*) The police asked if Pelletier "had done anything to them." (*Id.*) The boys denied it. (*Id.*) Doe72 said the police interviewed Fr. Pelletier and shortly after he was removed from his parish in Alpha. (*Id.*)

The report was "validated" by the Review Board of the Diocese. (App'x WP#3, Review Board Data Sheet.) Under remarks, it states, "Victim just wants the report 'on the record' with no other request for services." (*Id.*) The Diocesan file indicates that Fr. Pelletier was removed from his parish in Alpha in an "untimely fashion." (*Id.*)

(32) FR. ANTHONY POLAKOWSKI

Died in 1978. Killed in car crash.

On January 29, 2004, a family member sent a letter to Bishop James Garland informing him that Jane Doe22 was sexually abused by "Fr. Tony," referring to Fr. Anthony Polakowski, when she was 12 or 13 years old when Fr. Polakawski was at St. Stanislaus Kosta. (App'x AP#1, Letter dated January 29, 2004, from the family of JaneDoe22 to Bishop Garland.) Shortly thereafter, Father Alexander Sample met with the Doe22 to formally receive the allegation. (App'x AP#2, Notes from meeting between the Doe22 and Fr. Alexander Sample, p 1.) Doe22 indicated that they had lived in Goetzville, Michigan all their lives. (*Id*.) At the time they made the report, Doe22 was working at for the Diocese. (*Id*.) Doe22 advised that she has HPV (human papillomavirus, which can cause cervical cancer in women) and stated that she got it from Fr. Polakowski. (*Id*.)

In this 2004 meeting, Doe22 reported that in she was in the 6th grade when the sexual abuse began and that it lasted for approximately one year. (App'x AP#2, p 1.) According to Doe22, Fr. Polakowski would take her horseback riding, boating, to the beach, snowmobiling, etc. (*Id*.) She said the sexual abuse would take place on these outings as well as in the rectory, where Doe22 helped out. (*Id*.) She indicated that Fr. Polakowski would fondle her breasts and her genitals under her clothing, and that he would also "push himself up against her" in a sexual way. (*Id*.) She also indicated that on two occasions he tried "to go further" but she resisted and he did not push it. (*Id*., p 2.) She said Fr. Polakowski once told her to "wait until you are 16." (*Id*.) He also bought her a bracelet and ring from Poland. (*Id*.)

Also in this 2004 meeting, Doe22 related that Fr. Polakowski had a playboy reputation in the community because he had lots of "toys" (horses, motorcycle, snowmobile, corvette and drove a hearse.) (*Id*.) Often word was spread of a party at "Fr. Tony's" (*Id*.) Doe22 explained that these parties were held in the basement of the rectory, where he had a game room with pool table and pinball machine. (*Id*.) They would have dances there, and according to Doe22, it was known among the young people that Fr. Polakowski was a source of marijuana and alcohol. (*Id*.) The file notes indicate that Fr. Sample toured the space (presumably after the meeting with the Doe22, although no time frame was given) and found a "hidden" room that was made into a "firepit" with shag carpet. (*Id*.) Off this room was another wood-paneled room with orange shag carpet and a mattress. (*Id*.)

On April 4, 2018, John Doe73, then age 63, called to report that he was sexually abused by a priest in the early to mid-1970s. (App'x AP#3, Notes dated April 6, 2018, from Diane Tryan regarding call from Doe73.) He reported that he and one of his friends used to go to the home of a priest in Gatesville. (*Id*.) The priest had a party room and would let them drink alcohol. (*Id*.) On one of these occasions, Doe73 said that the priest performed fellatio on him and fondled him. (*Id*.) Doe73

was somewhere around 15 to 17 years old at the time. (*Id.*) He could not remember the name of the priest but recalled that he drove a "fancy car." (*Id.*) According to Doe73, the abusive priest was discovered and transferred to Marquette. (*Id.*) The person who took Doe73's call, Diane Tryan, indicated that she had a subsequent conversation with Fr. Larry Van Damme, Vicar for Clergy, who stated that the priest was likely Fr. Polakowski. Fr. Polakowski died in an accident while driving his Corvette in the fall of 1978. (*Id.*)

The diocesan records reflect the following:

- There is no "confidential file" on Fr. Polakowski;
- He was in Goetzville from August 1970–August 1976;
- There is a police report in the file dated February 9, 1976, in which [Fr. Polakowksi] is accused of supplying alcohol to minors. Beer to minor boys. Reference is made in the report to rumors of parties in the parish house where alcohol and marijuana are provided by the priest.[21]
- Letters to the Bishop from parishioners reference Fr. Polakowski causing scandal in the community.
- At Republic-Champion, there were complaints about Fr. Polakowski's "high lifestyle," being out late at night with non-Catholic boys, and having been seen outside a concert holding hands and kissing a young lady.
- There is a photograph in Fr. Polakowski's file of him vested for Mass; it is signed "Doe22" on the back. [App'x AP#4, Undated "Review of File for Fr. Anthony J. Polakowksi.")

The file notes also indicate the following: "[Fr. Polakowksi] was killed in a car accident at age 41. He killed himself and 2 older ladies from Wisconsin. It occurred at 10:30 pm on a Saturday night five miles south of Iron River (heading north). There was a 16-year-old girl in the car who was critically injured." (App'x AP#4.)

The Diocesan Review Board met on March 19, 2004, and it deemed the report by Doe22 as credible. (App'x AP#5, Letter dated March 26, 2004, from Fr. Sample to Doe22.) The Diocese sent her a check for $5,155.48 to cover the cost of medical expenses already paid for treatment related to her HPV and cervical dysplasia and encouraged her to get counseling. (App'x AP#6, Check dated November 24, 2004, and itemization; App'x AP#7, Letter unsigned and dated November 16, 2004, from

[21] The police report could not be located in the file.

Fr. Sample to the Doe22's family p 1.) The Diocese was "[not] able to definitively link" Doe22's HPV diagnosis as having come from Fr. Polakowski; however, the letter continued, "the Review Board and the Bishop still want to reach out to [Doe22] and help a person who has suffered much. We have decided that we will cover the cost of [Doe22's] past treatment." (App'x AP#7, p 1.)

Additionally, the "party room" at the rectory was dismantled. (App'x AP#8, Letter dated September 2, 2004, from Fr. Sample to the Doe22's family.)

On March 21, 2006, Bishop Sample wrote a letter to Jane Doe23 in response to a communication he received via the Archdiocese of St. Paul and Minneapolis, which had received a letter from Doe23 regarding sexual abuse she said she suffered by Fr. Polakowski when she was 15. (App'x AP#9, Letter dated March 21, 2006, from Bishop Sample to Doe23.) The Diocese requested she meet in person with Steve Lynott in the Twin Cities area. (*Id.*) The two had a face-to-face meeting in Minnesota on April 27, 2006. (App'x AP#10, Lynott notes from April 17, 2006 meeting.) Eventually the Diocese deemed her report credible and sent her a check for $33,390 to cover the cost of past expenses related to her sexual abuse, and a second check for a smaller amount. (App'x AP#11, Letter from Bishop Sample to Doe23, date unclear; App'x AP#12, Victim impact letter dated May 22, 2006, from Doe23 to Review Panel, among other things itemizing costs related to her sexual abuse, pp 2–3; App'x AP#13, Review Board Data Sheet.)

On April 24, 2020, Attorney General Victim Advocate Rebekah Snyder spoke with Doe23. Doe23 originally reached out to the Michigan Department of Attorney General to report her experience with Fr. Anthony Polakowski (Tony) in October of 2018. (App'x AP#14, Snyder Report.) She reported her experience from 1976 to 1977 when she was 15 to 16 years old. (*Id.*) At the time, Fr. Polakowski was the pastor of St. Augustine in Republic, Sacred Heart in Champion, and St. Mary's in Michigamme. (*Id.*) Advocate Snyder recounted her conversation with Doe23 as follows:

> [Doe23] remembers that one day he announced he was creating a youth group, but he hand-picked the participants. She remembers there being about 7 people chosen. She was the only female; he was a predator. She remembers various things like playing ice breaker games, but she doesn't ever remember speaking about religious things in the group. On one outing Fr. Polakowski took them all out for beer and pizza. She thinks this was in Michigamme. This was the first time he was inappropriate. She remembers he let one of the other kids drive so he could sit in the back with her. He began kissing and touching her and she just froze. [Doe23]'s home life was abusive physically and sexually, so when Fr. Tony began to abuse her, she just remembers repeating in her head "I'm fucked." She had thought of the youth group as a safe outlet and she was wrong. She specifically

remembers thinking "Oh, God. Here too." She saw the youth group as her last hope of getting help at home and then when she was abused, she realized she couldn't escape it. [Doe23] now believes he was attracted to the boys in the youth group and used her as a way to get to them. After this event, her brother [] came home from an outing, around Christmas time, and reported that Fr. Tony tried to get him drunk and kiss him. She believes there was more than her brother was willing to disclose at that time. She believes this due to the way her brother reacted when she told him she was reporting her experience to the Diocese in 2007. There was another youth group outing she remembered where they all went cross-country skiing and [Doe23] developed frost bite on her fingers and Fr. Tony thought this was very funny. That was the last time she wanted "anything to do with him."

[Doe23] reported her brother's experience with Fr. Tony to her teacher [] back in the 70s. She did not report her own experience with Fr. Tony because she didn't think he'd believe her. She thought this because she had previously reported one of her brothers sexually abusing her to her parents and they blamed her for the abuse and did nothing to help her. She believed this would happen again and no one would believe her. Therefore, she reported only what her brother had disclosed to her. [Her teacher] believed her and reported Fr. Tony to the higher authorities and Fr. Tony was transferred to another parish the next day.

I asked [Doe23] if she remembers seeing anything specifically during the abuse, she stated she remembers seeing car lights that night in the car. She remembers being very familiar with the road they were on, she remembers knowing where they were. She remembers being able to smell his after-shave lotion. She remembers hearing the Beatles playing on the stereo. She also remembers him saying "you're mine.

You can't go around this world like a little butterfly because you're mine."

At the time of the abuse [Doe23] was developing a relationship with a young man. They were going steady and she really liked him. A few weeks into their relationship the young man called her and broke up with her; she asked him why and he stated that it wasn't going to work out. She remembers Fr. Tony saying, "[The young man] can't have you, you're mine" and she believes Fr. Tony had something to do with their relationship ending.

I asked [Doe23] if she remembers feeling anything and she said her senses were extremely heightened. She was aware of what was happening but feeling frozen even though she wasn't frozen. She remembers feeling extremely uncomfortable and asking herself whether she caused this to happen. "I did this to myself so I need to take the consequences."

She stated she will never forget the disappointment. She remembers thinking she was reaching out to God, as a 16-year old, "touching the face of God but the face of God is touching my crotch." She remembers self-deprecating and asking herself repeatedly "how did you let this happen?" She reported that Fr. Tony was very good at what he did. He always turned the blame onto her. She remembers sitting in the back of the car realizing he messed with her relationship and realizing how "terribly powerful he is"; she was afraid. She was fearful of what would happen next and that she wouldn't be able to escape it. She believed she created the abuse because she was the one who wanted to be a part of this youth group. She stated she still can't listen to the Beatles, can't go to a Catholic Church, still struggles with feelings of guilt and shame. She remembers his black garment and his White Corvette he'd drive to impress the kids.

In 2007, [Doe23] reported her experience to the Diocese of Marquette; they agreed to pay for some of her therapy expenses after she was able to address the board of directors at the church. She is a recovering alcoholic and one of the steps to recovery is finding a "power greater than yourself." [Doe23] thought that was God, but she is terrified of God. She thought God hated her. So, the hardest part has been finding something to believe in. The first few years of AA she turned the word "GOD" into "DOG" so she could sit comfortably in the room. She knew what had happened and thought she had done something wrong and had caused it all. She still can't say what the higher power is but she can say what it isn't. She finally found a church she's comfortable with 1 year ago, they believe God could be many things (like a mother). Not taking her children to church has added feelings of guilt.

Fr. Tony was moved to another area of the Upper Peninsula of Michigan, and a year later he was killed in a car accident with a young man in his Corvette. He also killed two women in that accident. She shares a sense of guilt for this too, if she had only "kept my mouth shut she could have managed" the abuse and left at 18 years old. Those people would still be alive. She's accrued about $30,000 in therapy bills. She feels guilty about this too, but she has realized it isn't enough; she still doesn't feel better the pain hasn't disappeared.

She wants Fr. Tony to be publicly named as an abusive priest. She believes this will allow others who were harmed by him to begin their healing process—a process she doesn't believe can happen until he's publicly named. Last year the Diocese released more names of credibly accused priests, he still wasn't on there. Doe23 believes there are many more victims than her. [App'x AP#14, Victim Advocate notes.]

(33) FR. ARMOUR ROBERTS
(LISTED ON BISHOP ACCOUNTABILITY SITE)

Died December 8, 1989. Listed on the Diocese of Bismark, North Dakota's list of substantiated claims of sexual abuse.

In April 1965, Bishop Thomas Noa received a letter from Bishop Adolph Marx, DD, Administrator "sede vacante" (vacant see) of the Diocese of Corpus Christi, Texas indicating he had received a letter from Fr. Roberts "who was advised to leave your Diocese and to seek admission in another Diocese." (App'x AR#2, Letter dated April 19, 1965.) Bishop Marx stated, "While we do need priests, we do not wish to load ourselves down another problem," and asked the nature of the issue. (*Id.*)

On April 22, 1965, Bishop Noa responded that Fr. Roberts was asked to leave the Diocese as a "matter of morals charges and you can readily guess what the nature of these charges could be." (App'x AR#3, Letter dated April 29, 1965.) He further indicates that "despite my great wish to help Father Roberts and to ask other Bishops to do so also, I am not inclined to go along this way. I would not want to have Father Roberts doing priestly work in my Diocese. I would be very apprehensive about his psychological sickness which makes him scarcely fit for priestly work." (*Id.*)

Also on April 22, 1965, Bishop Noa received a similar letter from Rt. Rev. Patrick Gillespie, Vicar General for the Diocese of Baton Rouge in Louisiana seeking information about Fr. Roberts and the reason for leaving the Diocese of Marquette. (App'x AR#4, Letter dated April 22, 1965.) In his response, Bishop Noa indicated that Fr. Roberts "became involved in a morals charge and the police were after him." (*Id.*) Bishop Noa again refused to recommend Fr. Roberts for priestly work given the fear of "scandal that could ensue from his actions." (*Id.*)

On April 23, 1965, Bishop Noa received another letter from Very Rev. Msgr. Thomas Tschoepe, Vicar General from the Diocese of Dallas-Fort Worth, Texas, seeking information on Fr. Roberts. (App'x AR#5, Letter dated April 23, 1965.) With an identical letter to that sent to Baton Rouge, Bishop Noa again responded that Roberts was not fit for priestly assignments. (App'x AR#6, Letter.)[22]

[22] In Fr. Roberts' file, a letter from May 1965 was discovered from Bishop Noa to Bishop Patrick Gillespie that indicated the following: "In connection with this, I do have another priest who get out of this area, Father Ephream Sitko. In his case I would give a more favorable report. If there were not the danger of scandal from Divorce proceedings, I would like to find a place for him to work in the Diocese." (App'x AR#7, Letter dated May 9, 1965.) (See entry No. 38 below for Fr. Ephream Sitko.)

In December 1965, Bishop Noa received a letter from Fr. Roberts indicating that Fr. Roberts had recently spoken with Bishop Hilary Hacker of the Bismark, North Dakota Diocese. (App'x AR#8, Letter dated December 20, 1965.) Bishop Hacker sought information about why Fr. Roberts was looking for a new Diocese. Bishop Noa wrote to Bishop Hacker the following: "I do not suppose it is necessary for me to go into details about the nature of the aberration with which Father Roberts is afflicted. Father Roberts did very commendable and praiseworthy parish work wherever he acted as assistant. Evidence of his aberration came as a surprise.

Under the circumstances, we cannot use his services in this area." (App'x AR#8, Letter dated December 28, 1965.)

Following up, in January 1966, Bishop Noa wrote to Bishop Hacker:

> Father Roberts first got into trouble when he was Assistant at St. Mary's, Norway in 1961. There was the usual talk among the faithful. Father Roberts was not very strong in his denials.
>
> After this he was appointed for work as Assistant in L'anse and his record was all right. He then had several other temporary appointments and continued to keep his record clear. Then in the early part of 1965 while he was stationed at St. Joseph's, Sault Ste. Marie, he was again involved in difficulties. Because the persons were connected with the armed forces, the Air Base near there, the FBI entered the scene.
>
> At this time, on his own choice Father Roberts immediately placed himself under psychiatric care in Detroit. Our knowledge of his contact and treatment in Detroit with the psychiatrist is very limited.
>
> You may well assume what my own attitude is. I entertain the hope that he might have the opportunity to work in the priesthood. At the same time as Bishop I do not have too much confidence. I hope that Father Roberts will fill you in on details that are needed.
>
> [App'x AR#9, Letter dated January 10, 1966.]

Presumably, after this exchange, Fr. Roberts went on to Bismarck to serve the Diocese in North Dakota where he is currently listed on its credibly accused list. An October 13, 1966 letter in the file indicates that Fr. Roberts had been serving at St. Luke's Hospital in Crosby, North Dakota. (App'x AR#10.) The allegations from the Diocese of Bismarck against Fr. Roberts related to events that occurred in the late 1960s and early 1970s. See https://www.bishop-accountability.org/accused/roberts-armour-r-1955/ ("In the late 1960s or early '70s [Fr. Roberts] took three boys, who were high school freshmen, to visit Rev. John Owens in New Leipzig. The two priests allegedly plied the boys with alcohol and sexually abused them.") (Last accessed October 26, 2022.)

Nearly 40 years later, in a letter dated August 21, 2002, John Doe74 wrote to "Whom It May Concern" that he too was a victim of sexual abuse by Fr. Roberts. (App'x AR#11a.) He reported in "1960, I was one of two teenagers from Norway who made a complaint against Father Armour Roberts, who was then assistant pastor of St. Mary's Church in Norway." (*Id.*) Doe74 writes as follows: "I have never had any ill will towards Fr. Roberts. My mother explained to me at the time that he had serious emotional problems and that he deserved to be pitied, and hopefully helped, rather than hated. I have always believed this, and believe it to this day." (*Id.*)

In this 2002 letter, Doe74 detailed Fr. Robert's misconduct—including supplying several minors with alcohol, having several of them sleep in the bed with him in the rectory, "numerous other incidents" at a hunting camp, summer cottage, and camping trips. (*Id.*) Doe74 expressed that his anger was largely at the way he was treated by the Church and how he was never offered counseling, confidentiality was brutally erased leaving him to fend for himself as a 16-year old. (*Id.*) Doe74 reported that he and a friend had confided in a Monsignor Pelessier in Wisconsin of Fr. Roberts misconduct, but Doe74 stated that Fr. Roberts was quickly moved to another parish and word spread that 16-year-old Doe74 had "turned [Fr. Roberts] in," rendering him an outcast in this community. (*Id.*) Doe74 spoke of his mistaken belief that Fr. Roberts committed suicide, causing him guilt for over 40 years. (*Id.*)

In May of 2014, Doe74 wrote a letter to Erycca Manninen of the Diocese to again report his sexual abuse. (App'x AR#11b, Letter dated May 30, 2014, from Doe74.) He indicated that in the late 1950s he and others were sexually abused by Fr. Roberts when he was the assistant pastor at St. Mary's Church in Norway. He indicated that there were regular "booze fests" followed by sexual contact by Fr. Roberts, "often with nearly unconscious individuals." (*Id.*)

In this letter from 2014, Doe74 reiterated that he reported the sexually abuse first to another priest and then was interviewed by Monsignor Pelissier in Iron Mountain. (*Id.*) He was assured absolute confidentiality, but he said that Msgr. Pelessier told others of the sexual abuse to the point that at his five-year reunion from his high school graduation he was identified as Roberts' accuser and directly blamed for Fr. Roberts' subsequent supposed suicide. (*Id.*) Doe74 indicated that the breach of confidentiality had a large negative impact on his life, resulting in Doe74 cutting ties with everyone in his hometown. (*Id.*)

Also in this 2014 letter, Doe74 reported that approximately 15 years prior he spoke with Bishop Sample who "successfully dissuaded me from taking any type of legal action at that time" but had assured him that "in the event of severe need, especially with regard to medical expenses, that the Diocese would be there for me." (*Id.*)

Finally in the 2014 letter, Doe74 sought a measure of compensation for the way he was treated when he disclosed the sexual abuse by Fr. Roberts many years ago, as well as for the abuse itself. (*Id.*)

In September 2014, when he had no response to his letter, Doe74 sent an email to Manninen threatening legal action. (App'x AR#12, Email dated September 2, 2014.) A few days later, a meeting was set up with Victim Assistance Coordinator Stephen Lynott. (App'x AR#13, Lynott typed notes dated September 8, 2014, and September 11, 2014.) On September 11, 2014, Stephen Lynott met with Doe74 at his home in Wisconsin. (*Id.*) Doe74 reported the sexual abuse by Fr. Roberts and explained his guilt over his suicide. (*Id.*) Lynott informed Doe74 that Fr. Roberts died of natural causes in 1981 [sic – 1989] at the age of 61. (*Id.*) This was stunning to Doe74. (*Id.*)

On October 10, 2014, Lynott visited with Doe74 at his home a second time as directed by Bishop John Doerfler and Fr. Daniel Moll. (App'x AR#14, Lynott notes of "Home visit with Doe74.") According to Doe74, a request for financial assistance was made of Bishop Sample several years ago and was promised. (*Id.*) Doe74 believes he was also the victim of a serious breach of confidentiality by Monsignor Pelessier. (*Id.*) Doe74 requested $30,000 to help him live out the remaining days of his life; he had operable prostate cancer that came with expensive medical bills. (*Id.*)

An undated (but found among documents dating to 1965) and unattributed document in the file designated for Monsignor Chisholm discusses interviews with Doe74 related to drinking by an unnamed priest who provided the alcohol and sexually abused young men. (App'x AR#15, Undated Letter.) Doe74 was deemed credible and having come from a wonderful family. (*Id.*) The report of sexual abuse "came from a father, that his son John Doe75 had been molested by the defendant in this case." (*Id.*) The father of Doe75 was a city employee who called the unnamed writer of the document. (*Id.*) The document also identified "another report" that a John Doe76 "fell asleep on the floor and there before the television was awakened by molestation" by Fr. Roberts. (*Id.*)

Later, Doe74 was paid $30,000 in two installments of $15,000 for the sexual abuse that was committed against him by Fr. Armour Roberts in 1960. The Release was executed on December 9, 2014. (App'x AR#16, Release.)

On September 27, 2007, Bishop Alexander Sample and Steve Lynott met with John Doe77 stated that approximately 47 years prior he had been sexually abused by Roberts. (App'x AR#17, Meeting Notes.) Doe77 indicated that "he was motivated by curiosity and some peer pressure to have sex with the priest." (*Id.*) He also described being sexually abused by Fr. Hale: "it was much more evil and uninvited." (See Entry for Father Hale above, No. 12.)

Under remarks it indicated, "See Fr. Michael Hale report. Victim was offered but did not seek counseling or outreach." (App'x AR#18.)

On May 22, 2026, the diocesan legal counsel informed the Department of Attorney General that the diocese had received that day a new allegation against Fr. Roberts

from events that occurred in 1960 or 1961. (App'x AR#19, Letter from diocesan legal counsel to the Department of Attorney General, dated May 22, 2026.) In this report, John Doe90 alleged the following had occurred, as recorded by the Diocese:

> When the parishioner was 16 or 17 years old (1960-1961) he hosted a party for his high school friends at the family cottage to celebrate their football team's recent victory. The plan was to play cards and drink beer purchased from a bar that served underage customers. When he arrived at the cottage, he recognized Fr. Roberts' car parked in the drive and he assumed the Page 2 May 22, 2026 priest was there to "bust" them for drinking. Instead, Fr. Roberts had invited himself to the party and brought beer. The parishioner felt uneasy about this but the night continued.
>
> After several hours of drinking, the parishioner and his friends planned to sleep at the cottage so no one would drive home drunk. Fr. Roberts offered to "tuck in" to bed the parishioner and his friend, another 16 or 17-year-old boy. At that point Fr. Roberts proceeded to "crawl all over them." The parishioner then asked Fr. Roberts what a blow job was. Fr. Roberts proceeded to perform oral sex on both boys. The priest left the cottage afterwards in his car. The Fr. Roberts incident "felt wrong" so the two boys made a "pact" never to speak about it.
>
> [*Id.* at 2.]

The vicar general for the Diocese offered counseling services to John Doe90, but he declined the offer, noting that "he wanted nothing other than to get this story off his chest after all these years." (*Id.*)

The Diocese indicated that "[t]his report regarding Fr. Roberts aligns with the time frame of his assignment at St. Mary's and other reports of similar behavior[.]" (*Id.*)

(34) FR. DAVID ROCHELEAU

Died in 1984.

On April 10, 2002, John Doe78, then 53 years old, called to report being sexually abused by Fr. David Rocheleau. (App'x DR#1, Report of Sexual Abuse, p 1.) He spoke with Fr. Alexander Sample and stated that he was not suing anyone and had no intentions of filing any lawsuit, but he simply wanted to make sure that the priest who had tried to sexual abuse him could not abuse anyone else. (*Id.*) Doe78 did not provide the name of the priest but provided enough identifying information that Fr. Sample was able to identify Fr. Rocheleau as the offender. (*Id.*) Doe78 described his abuser as "short, bald, hair lip, Fr. David (French last name), transferred to L'Anse in 1965 or so"). Doe78 reported being between 10 to 13 years old when the priest made a clear sexual advance on him. (*Id.*) He said he was able to refuse the priest but know that if he had not resisted, he would have been sexually abused. (*Id.*) Fr. Sample was able to determine without a doubt that it was Fr. David Rocheleau who had served at Holy Family in Ontonagon from 1964–65. (*Id.*) Knowing that Fr. Rocheleau was dead brought Doe78 closure, and he did not need any further action taken. (*Id.*)

(35) FR. NELSON DANIEL RUPP

Presumed alive.

This priest is listed on leave of absence from public priestly ministry status by the Diocese of Marquette, apparently after he resigned as a pastor in 1996.

It is not clear where Fr. Daniel Rupp is now. A handwritten diocesan priest spreadsheet indicates that in 2014 Fr. Rupp was in California, and the Review Board Data Sheet indicated that he was in California in 2007. (App'x DR#1, Diocesan spreadsheet on priests accused of sexually abusing minors, dated March 5, 2014, p 4; App'x DR#2, Review Board Data Sheet.)

In 1982, review of the diocesan records indicates that, Fr. Rupp was "relieved of duties as liaison to the Charismatic Renewal." (App'x DR#3, Diocesan fact sheet on Fr. Rupp, p 2.)

On October 22, 1991, Witness1 and Witness2 voiced to the Diocese concerns they had about Fr. Rupp's behavior. (App'x DR#4, Notes from meeting on October 22, 1991, with the Witness1 and Witness2.) They reported that on a sleepover Fr. Rupp was walking around with only a t-shirt on, with his genitals exposed, apparently seen by Witness1 (age 15) and Witness3 (age 14 or 15). (*Id*., p 1.) They also reported that Fr. Rupp was going to the bathroom (bowel movement) with the door open, apparently noted by Witness4 (age 16). (*Id*.) Witness1 and Witness2 said that Fr. Rupp was giving beer to Witness1 (age 15), Witness3 (age 16), and another boy (age 15) "while on trip to house in Marquette last fall." (*Id*.) During a sleepover, Fr. Rupp become "very upset (angry) when Witness1 went into his bedroom and locked the door to get undressed. Fr. Rupp pounded on the door till Witness2 opened it. He told Witness2 that locked doors were not permitted." (*Id*.)

In 1995, Fr. Rupp was assigned to a new parish and shortly thereafter his staff began complaining to the bishop's office. The bishop's notes from March 1996 reflect that Fr. James Ziminksi took the sworn deposition of Norma Semashko, a youth minister and Fr. Rupp's housekeeper at the rectory. (App'x DR#5, Notes from the bishop from March 1996, dated March 5, 1996; App'x DR#16, deposition record.) Semashko said she had received five or six anonymous calls about Fr. Rupp, several telling her to "watch the laundry and watch his relationship with server boys." (App'x DR#5; App'x DR#6, p 2.) This woman reported that in Fr. Rupp's laundry she had "found more youth garments [sic] underwear and a size 18 shirt. One piece of underwear was heavily soiled." (App'x DR#5; App'x DR#6, p 3.) When confronted by Bishop James Garland, Fr. Rupp denied any inappropriate sexual contact. (App'x DR#5, Note dated March 7, 1996.)

On April 12, 1996, Bishop Garland issued Fr. Rupp a precept that admonished him to not be alone with minors and to avoid all situations that "have been occasions of serious temptations in the area of sexual morality." (App'x DR#7, Precept dated April 12, 1996.) As of May 22, 1996, Fr. Rupp resigned from the office of pastor of All Saints Parish. (App'x DR#8, Letter dated May 30, 1996, from Bishop Garland, p 3.) On May 30, 1996, Fr. Rupp was sent to the St. Luke Institute for evaluation. (*Id.*) Bishop James Garland made it clear to Fr. Rupp that he would not be given an assignment until he received residential treatment. (App'x DR#9, Memorandum dated April 4, 1996, from Bishop Garland to Fr. Alexander Sample; App'x DR#10, Agreement for Personal Leave dated November 6, 1996.) The parishioners at All Saints Parish in Gladstone were notified that Fr. Rupp had been granted a "temporary leave of absence for health reasons" and that Fr. Joseph Polakowski had been assigned as Temporary Administrator "until a permanent pastor is appointed." (App'x DR#11, Letter dated May 22, 1996, from Bishop Garland to Fr. Joseph Polakowski.)

In a letter dated June 26, 1997, Bishop Garland rescinded Fr. Rupp's April 12, 1996 Precept and renewed his Agreement for Personal Leave, noting, "I deeply regret that you are unable to accept the recommendations for treatment from the Saint Luke Institute. Especially now since two years will have passed without addressing the problem effectively through residential treatment." (App'x DR#12, Letter from Bishop Garland to Fr. Rupp dated June 26, 1997.) Fr. Rupp agreed not to exercise his priestly functions while on extended leave. (App'x DR#13, Letter from Fr. Rupp to Bishop Garland dated November 6, 1998.) There is no indication that Fr. Rupp ever returned to active ministry.

In April 2007, the Diocese Review Board Data Sheet indicates that the Diocese received a report of sexual abuse that occurred sometime between 1985 and 1987. (App'x DR#2.) According to the report, the sexual abuser was Fr. Rupp, and the alleged abuse occurred at the priest's camp in Alger or Marquette County. (App'x DR#14, Notes dated April 16, 2007, from Stephen Lynott regarding phone call with former county prosecuting attorney for Delta County Steve Parks.) The report indicated that the complainant was an altar server at Holy Family Parish. (*Id.*; App'x DR#15, Noted dated April 16, 2007, handwritten and author unidentified.) The report also stated that Fr. Rupp took the complainant and other boys to the camp, supplied them with liquor, and then sexually abused them. (*Id.*) The report did not reveal the type or extent of the abuse. (*Id.*) The report came from Steve Parks, the Delta County Prosecutor. (*Id.*; App'x DR#16, Note April 13, 2007, to Lynott.) Parks indicated that the complainant reported to him but had never disclosed the sexual abuse to anyone else. (App'x DR#15.) The complainant indicated that Fr. Rupp may have been serving at Holy Trinity in Flat Rock or All Saints in Gladstone at the time of the abuse (App'x DR#6; App'x DR#7.) The notes from the phone call with Parks indicated that the complainant came from a

" 'button-downed' loyal Catholic family" and that the Diocese would pay for counseling. (App'x DR#15.)

In 2007, Rupp was managing real estate in California. (App'x DR#2.) As of November 1996, Rupp owned a camp on Middle Island Pointe in Marquette. (App'x DR#17.)

(36) FR. WALTER SHEEDLO

Presumed alive.

Removed from public ministry in September 2009. Retired at least since 2013. Listed as on leave of absence from priestly ministry status by the Diocese.

On August 27, 1997, Bishop James Garland interviewed Mr. and Mrs. John Doe81 of St. Anne Parish in Escanaba. (App'x WS#1, Memorandum to file, dated August 27, 1997.) Doe81 disclosed that when he was in the 6th grade and was between the ages of 10 and 11 in 1979, he attended a school retreat for Holy Name School at the Marygrove Retreat Center. (*Id.*)

During this 1997 interview, Doe81 said that attended a church-related event with Fr. Walter Sheedlo. (*Id.*) Afterward, Doe81 said he began seeing Fr. Sheedlo on a regular basis. (*Id.*) Doe81 reported that they would sit before the fireplace, cross-legged style with their foreheads touching. (*Id.*) According to Doe81, Fr. Sheedlo spoke to him about the bond of love that can exists with men and "is greater than any other as a father and son but never genital." (*Id.*) They met every two weeks until approximately 1992 or 1993. (*Id.*)

In this 1997 interview, Doe81 disclosed that in August 1996 he was hospitalized on two separate occasions for suicidal ideation and attempted suicide. (*Id.*) He began seeing Fr. Sheedlo again. (*Id.*) During one of these meetings, Doe81 reported, Fr. Sheedlo hugged Doe81 and told Doe81 that he noticed he had an erection during one of the hugs. (*Id.*) Doe81 explained that he let the remark pass as he knew it was not true. (*Id.*) They would meet in the evenings as Fr. Sheedlo said the secretaries "would not understand what they were doing." (*Id.*)

At this 1997 interview, Doe81 recounted one such meeting. He said that Fr. Sheedlo took him upstairs to an office with a couch. (*Id.*) He had Doe81 lie down with his head in Fr. Sheedlo's lap. (*Id.*) He reported that on November 6, 1996, Fr. Sheedlo caressed his chest and rubbed the skin under his shirt on his back and chest. (*Id.*) When Fr. Sheedlo put his hand on Doe81's thigh, Doe81 broke away and went home. (*Id.*) Fr. Sheedlo asked him to stay the night, saying that "it would be great to wake up in the morning in each other's arms." (*Id.*)

In the 1997 interview, Doe81 noted that he broke off the counseling with Fr. Sheedlo. (*Id.*) Bishop Garland noted that Doe81 "excuses Fr. Sheedlo and admires his ministry and powerful preaching. He asked twice that I convey to Fr. Sheedlo he forgives him, prays for him and wants him to receive help and healing." (*Id.*)

Doe81 noted that because the unwanted sexual advances occurred happened to him on two occasions, he cannot help but feel responsible for their actions. (*Id.*) Bishop Garland explained that he was not responsible for the actions of Fr. Sheedlo. (*Id.*)

In response, in November 1997, the Diocese sent Fr. Sheedlo to Shalom Center in Texas for treatment. (App'x WS#2, Letter dated January 5, 1998.) In January 1998, Bishop Garland wrote to Sister Gina Marie of the Shalom Center that a "former seminarian from St. Ambrose Parish in Ironwood where Father Sheedlo was stationed as an Associate" reported "in 1974 he shared a double bed with Fr. Sheedlo and experienced some sexual advances from him, which were rebuffed." (*Id.*) The seminarian was 18 years old at the time. (*Id.*) According to this 1998 letter, in 1978 Fr. Sheedlo visited the seminarian who was studying in Rome and advances were made again when Fr. Sheedlo attempted to remove the seminarian's pants. (*Id.*)

In September 1999 and on March 8, 2000, Bishop Garland wrote to Fr. Sheedlo asking that he take one year of leave from priestly ministry and requested that Sheedlo sign and return a Memorandum of Agreement. (App'x WS#3–5, Letters dated September 10, 1999, September 24, 1999, and March 8, 2000.) The Memorandum stated: "The only information that will be communicated to the presbyterate and others who inquire is that Father Sheedlo is taking a personal leave for prayer and discernment." (App'x WS#6, Memorandum dated August 24, 1999.) Fr. Sheedlo appears not to have responded to the bishop's requests. (See App'x WS#5, Letter dated March 8, 2000.)

In December 2009, Bishop Alexander Sample wrote to Fr. Sheedlo and enclosed a newspaper clipping showing that Fr. Sheedlo performed a funeral service in violation of instructions to not exercise any priestly functions except in danger of a death situation. (App'x WS#7, Letter dated December 22, 2009.) Because Fr. Sheedlo violated that condition, Bishop Sample ordered a precept where Fr. Sheedlo was not allowed to exercise any priestly functions, and he was forbidden from presenting himself as a priest or wearing clerical garb. (*Id.*)

(37) FR. DON SHIRODA

Died 2011.

In a letter dated September 25, 2007, Doe24 wrote to Stephen Lynott describing Doe24's later relationship with Fr. Don Shiroda:

> I worked with Father Donald Shiroda after he was assigned to St. John's Parish (Marquette) as Associate Pastor or resident and Vocation Director. I do not have the date of this assignment but know that I helped to promote retreats to Marygrove beginning in middle school (I graduated from St. John's Parochial grade school in 1963) in conjunction with the Ladies' Altar Society. As a student, Father Shiroda and I traveled together to Catholic schools in the Diocese giving talks to Catholic school children to promote vocations for married, single, and religious life." [App'x DS#1, Letter dated September 25, 2007, from Doe24 to Lynott.]

The letter continued, "Father Shiroda and the sisters were well known to my family and accompanying us to family outings at my parents farm, campouts, and church-related events. Father Shiroda was a close friend of the family and even after he was assigned over parishes, he was in and out of our home for meals, celebrated Mass, and counseled the family as we were growing up." (*Id.*)

In January 2009, Doe24 wrote a letter to Fr. Shiroda. (App'x DS#2, Letter dated January 29, 2009, from Doe24 to Fr. Shiroda, p 1.) She told him that she had traveled to the Sault to confront him about "manipulating and sexually abusing me," but she learned that Fr. Shiroda was gravely ill, so she decided not to try to talk with him at that time (*Id.*) Doe24's letter to Fr. Shiroda stated:

> I feel that you betrayed the trust and friendship that my family and I extended to you. You used the help and support we gave you in your vocation and retreat work to take advantage of me… It seemed natural and safe to me and was supported by my family to seek counsel and pastoral direction from you when I was struggling with my first marriage. However, instead of offering hope and clarity, you wined, dined and tried to have sexual intercourse with me. [*Id.*]

Fr. Shiroda did write back to Doe24, indicating "we are all sinners. I am glad you can forgive me – this is a mark – you can forgive others and yourself. A plus in your favor." (App'x DS#3, Undated, handwritten letter to Doe24 from Fr. Shiroda.) Fr. Shiroda's response went on to reminisce about the kindness of Doe24's parents and he wished her "my best to them and you." (*Id.*)

In 2013 or 2014, the Diocese had the Review Board hear her case (App'x DS#4, Draft Letter of 2014 from Fr. Daniel Moll to Fran Waters, DCSW), and it paid for extensive counseling over a period of at least seven years, (*id*.; App'x DS#5, Letter dated December 9, 2013, from Lynott to Fran Waters, LMSW.)

In July 2015, Fr. Larry Van Damme, Director of Ministry Personnel & Episcopal Vicar for Clergy, notified Doe24 that the Diocese would be willing to pay for up to four more one-hour sessions in that month and the next and then "[a]lthough the Diocese will not pay for any counseling for you afterword, we have issued the enclosed check to you in the amount of one-thousand dollars ($1,000.00). Perhaps you will use this money for further counseling if you wish to pursue it." (App'x DS#6, Letter dated July 23, 2015, from Fr. Van Damme to Doe24.) Doe24 does not appear to have cashed the $1,000.00 check. (App'x DS#7, Letter dated August 27, 2015, from Fr. Van Damme to Doe24; App'x DS#8, Letter dated September 3, 2015, from Fr. Van Damme to Doe24.) And on September 28, 2015, she wrote the following to the Diocese: "I have not received a clear explanation as to why the Diocese is offering me a check in the amount of $1,000.00." (App'x DS#9, Letter dated September 28, 2015, from Doe24 to Fr. Van Damme with a copy to Bishop John Doerfler and her therapist.)

(38) FR. EPHREAM/EPHRAIM SITKO

Died December 8, 1982.

On February 21, 2019, Jane Doe25 emailed the tip line to report an incident related to Fr. Ephream Sitko. (App'x ES#1, tip #309.) She reported:

> 1963. I attended St. Ignatius Loyola School. I was a victim of Father Sitko who was a[n] assistant priest from Munising. He used to make me sit on his lap and wrap me under his long robe. I would hide from him, but he always would find me.
>
> One day he was no longer there. Thank you for giving me the courage to move forward with this. Befriended her sister as well. [*Id.*]

On April 9, 2020, Attorney General Victim Advocate Paul Carbini spoke with Doe25.

> In 1963, Doe25 was 8 years old and in 3rd grade at St. Ignatius Loyola School in St. Ignace, Michigan. (App'x ES#2, Interview.) According to her interview, Doe25 remembers being physically small for her age and that in school they were taught that priests were "like gods." (*Id.*) Doe25 remembered Fr. Sitko coming to school at recess when she was in 3rd grade and that he always wore a cassock and big black cape. (*Id.*)

In her interview, Doe25 said that she remembered that she was on the swings the first time Fr. Sitko "targeted her." (*Id.*) Doe25 stated that Fr. Sitko "unexpectedly came up behind her and grabbed her into a hug, bringing her inside of his cape." (*Id.*) She said that he then sat down on the swing with her on his lap, his arms wrapped around her waist, and his cape around them both. (*Id.*) Doe25 stated that she squirmed and pleaded for Fr. Sitko to let her go, but he just held her tighter and laughed. (*Id.*) She explained that this incident ended once Fr. Sitko decided to let her go. (*Id.*)

Also in her interview, Doe25 stated that after this she would always try to run and hide whenever she saw Fr. Sitko. (*Id.*) Doe25 remembered there being trees and a red garage on the edge of the school's property, and she tried hiding there, but Fr. Sitko "found her and grabbed her into a hug inside of his cloak once again." (*Id.*) Doe25 remembers seeing the other kids playing baseball while this was going on and wondering why no one is see them or "what is happening to her." (*Id.*) Doe25 stated that Fr. Sitko would grab her in a hug and force her to sit on his lap on the swings every lunch time recess, and that "this only ended when he stopped coming to her school." (*Id.*) She had heard that he had been transferred to Engadine, Michigan. (*Id.*)

Doe25 stated that she could not remember if he ever touched her anywhere else, or feeling him having an erect penis. (*Id.*) Doe25 stated that during these incidents she was focused on trying to wiggle free, seeing the other kids playing, how Fr. Sitko "would whisper and laugh in her left ear, and how terrible his breath smelled." (*Id.*) Doe25 believes the smell of his breath was possibly alcohol. (*Id.*) Doe25 stated she did not know the smell of alcohol, but as an adult she always feels "revolted and nauseated" when she smells alcohol on someone's breath. (*Id.*) Doe25 also does not remember what Fr. Sitko would whisper while holding her on his lap; she only remembers the feeling of him whispering in her left ear. (*Id.*) Doe25 stated that "since these incidents she cannot stand anyone touching around her ears or whispering to her." (*Id.*)

The interview report concluded as follows:

> [Doe25] told me that she never told anyone that this was occurring or had happened when she was younger because Fr. Sitko had befriended her older sister and her sister's friends, so [Doe25] didn't think anyone would believe her. [Doe25] also said that in her 40s and 50s she had reoccurring nightmares about these incidents and would pray to God for the nightmares not to come. [Doe25] stated that she has had trouble with men her entire life and believes it is associated with these experiences. She is looking to start counseling to looking to try to heal. [*Id.*]

On April 15, 2020, the Department sent the report of Doe25 to the Diocese of Marquette for follow-up. The Diocese reports that upon receipt, a Victim Advocate for the Diocese contacted Doe25 and offered to pay for counseling expenses for her, which she accepted and which are currently ongoing.

(39) FR. NEIL SMITH

Died 2007.

On April 22, 2004, Bishop James Garland spoke with John Doe82, who reported that Fr. Neil Smith sexually abused him in 1951 or 52 when he was 14 or 15 years old. (App'x NS#1–2, Receipt of Complaint, Memorandum to File.) Fr. Smith was assigned to the parish of Sacred Heart in Munising as parochial vicar from 1952 to 1957. (App'x NS#3, Summary Report.) Doe82 stated that the sexual abuse, which he described as involved Fr. Smith fondling Doe82's genitals, occurred approximately four or five times, including in Fr. Smith's car while Doe82 accompanied him from Munising to Marquette for a movie, and separately in the movie theater in Marquette. (App'x NS#1–2, Receipt of Complaint, Memo to File.) Doe82 did not want to be publicly identified or further action to be taken regarding Fr. Smith. (App'x NS#1–3.) Bishop Garland "determined that the allegation carries with it the semblance of truth" and opened a preliminary investigation. (App'x NS#3, Summary Report dated June 10, 2004.) The Review Board agreed that the allegation carried "the semblance of truth." (*Id.*) The Board agreed with Bishop Garland's recommendation to communicate the matter to the Congregation for the Doctrine of the Faith. (*Id.*)

On August 19, 2004, Fr. Smith, who was then in his mid-80s, was confronted with the report to which he indicated he "could not remember the incidents" but did remember Doe82. (App'x NS#4, Response of Smith dated August 23, 2004.) Further, he indicated, " 'it could have happened,' 'it's possible that it happened,' and 'I guess where there's smoke, there's fire.' " (*Id.*) When pressed for more details Fr. Smith stated, "Let's just say I admit it and be done with it." (*Id.*) When asked if he remembered more details Smith indicated that he was teased mercilessly for the small size of his genitals and since that time "he has noticed and been interested in the bulge in the pants of other boys." (*Id.*)

On February 9, 2005, Archbishop Angelo Amato, SDB, Secretary to the Congregation of the Doctrine of the Faith, wrote to Bishop Garland indicating "that it will not be necessary to take any penal action against the cleric" given Fr. Smith's advanced age, infirmity, and current retirement status. (App'x NS#5, Letter dated February 9, 2005.) Bishop Garland requested to impose restrictions called for by the *Essential Norms*, but the Congregation determined that was not necessary. (*Id.*)

On November 7, 2018, an anonymous caller reported to the tip line that he was sexually abused by Fr. Smith. (App'x NS#6, tip # 191.) He reported the following: He attended Sacred Heart of Jesus in Munising where Fr. Smith was the parish priest.

In 1954–55, Fr. Smith once offered caller (age 14 or 15 years old) a ride home and he said that Fr. Smith put his hand on caller's crotch. Fr. Smith soon after transferred to Holy Rosary Parish in Grand Marais. The incident was never reported.

(40) FR. CHARLES STRELICK

Died April 7, 2017.

Retired from active ministry in 1995.

On August 7, 2020, the attorney for the Diocese, Laura Reilly, forwarded a reported allegation of sexual misconduct against Fr. Charles Strelick. (App'x CS#1, Email from Laura Reilly to the Department of Attorney General, dated August 7, 2020.)

According to this August 7, 2020 letter sent via email, on July 31, 2020, Stephen Lynott who is the Victim Advocate Coordinator "took a report of alleged abuse from a 33-year-old man," John Doe89, who stated that "he was sexually abused one time when he was 8 years old, in July 1991, by Fr. Charles Strelick, who was then pastor at St. John the Evangelist Church in Ishpeming." (*Id.*) Doe89 said that he went to confession with Fr. Strelick and was describing the conduct of two older boys who had sexually abused him, and Doe89 said that "after that Fr. Strelick touched him and made him perform oral sex in the confessional." (*Id.*) Doe89 also stated that afterward Fr. Strelick "did other weird things" and "washed out [his] mouth with holy water." (*Id.*) According to the letter from the Diocese, Doe89 "states he has had therapy and has been treated for schizophrenia and bipolar disorder. He also states [he] has reported this matter to the State Police and to the Ishpeming City Police." (*Id.*) It also noted: "In have reviewed the priest personnel file of Fr. Strelick . . . [t]here is no record of any prior allegations of abuse regarding Fr. Strelick." (*Id.*)

(41) FR. JAN SZCZYKOWSKI

Unknown if dead or alive.

Returned to Poland in 1998.

Fr. Szczykowski was ordained in May 1988 by the Society of Christ for Polonia Abroad in Poznan, Poland, and served in ministry in Iraq, Kuwait, Germany, Hungary, and Poland. (App'x JS#3, Untitled Document dated September 1995, p 2.) He entered the United States for service in the Diocese of Marquette in September 1995. (*Id.*)

In a meeting on December 20, 1997, Bishop James Garland and Fr. Alexander Sample met with Fr. Jan Szczykowski. (JS#1, Memorandum to the file, dated January 22, 1998, p 3.) According to the memorandum, Fr. Szczykowski had returned from a four and half month trip to Poland. (*Id.*) He had been absent from the parish at Engadine. (*Id.*) Fr. Szczykowski reported that in 1995 before coming to the Diocese he had a sexual relationship with a young woman in the parish in which he was serving, claiming that it was on "one occasion only." (*Id.*) She was one of his former students. (*Id.*) He explained that he had sex with her, and she became pregnant. (*Id.*) At the time of the meeting the child was two years old and living in Poland. (*Id.*) Fr. Szczykowski had worked an arrangement with the woman's parents to pay $150.00 per month and he would not be publicly named or expected to be a part of the child's life. (*Id.*) Fr. Szczykowski also explained that during his recent trip to Poland he had attended a two-month inpatient treatment program for alcoholism, and had caused an automobile accident after which he was arrested for driving while intoxicated and owed money damages to the other driver. (*Id.*) At the conclusion of the meeting, Bishop Garland agreed to work with Fr. Szczykowski and continue his priestly ministry within the Diocese, however "[t]he following plan was insisted upon by the Bishop, and Fr. [Szczykowski] agreed to abide by it: 1. [He] must never leave the Diocese without first informing the Bishop and discussing it with him[;] 2. [He] must join an AA group…[;] 3. [He will meet with Fr. Sample and Rick Schaefer to straighten out his financial situation…[; and] 4. An attempt should be made to get an agreement in writing with the family of the mother of [his] child concerning child support." (*Id.* at 4.)

On January 14, 1998, Fr. Szczykowski wrote to Bishop Garland, indicating that he decided to return to Europe. (JS#2, Letter from Fr. Szczykowski to Bishop Garland, dated January 14, 1998.)

The Polish order to which Fr. Szczykowski belonged, the Society of Christ for Polonia Abroad (also known as the Society of Christ Fathers for Poles Living Abroad) maintains a website, which includes the order's policies for the protection

and security of minors.[23] A search for Fr. Szczykowski on the website does not list him among currently serving priests.[24]

[23] (https://www.chrystusowcy.pl/ochrona-dzieci-i-mlodziezy ("Protection of children and youth"), last accessed October 26, 2022.)

[24] (https://www.chrystusowcy.pl/prowincje-zagraniczne ("Foreign provinces"); https://www.chrystusowcy.pl/parafie-w-polsce ("Parishes in Poland"), (last accessed October 26, 2022.)

(42) FR. GUY THOREN
(LISTED ON BISHOP ACCOUNTABILITY SITE.)



Died December 17, 2011.

Removed from public ministry in 2002.

On June 6, 2002, a woman called Fr. Alexander Sample and reported that Fr. Guy Thoren had sexually abused her son, John Doe83. (App'x GT#1, Notes dated June 6, 2002, of telephone conversation with Fr. Sample, p 1.) She said that Doe83 was an altar boy and a student and basketball player at St. Peter/St. John School. (*Id.*) She also said that Doe83 had never reported the abuse to anyone, but that he told her that he was "molested" in the 7th and 8th grade. (*Id.*) According to the woman, Fr. Thoren used to spend a lot of time with her son, picking him up and taking him places such as camping. (*Id.*) Doe83 told his mother that some of the sexual abuse occurred in the basement of their house, where there was a sauna. (*Id.*) Doe83 himself apparently disclosed to someone in in the Diocese that the sexual abuse occurred 30 to 50 times between 1977 and 1979. (App'x GT#2, Notes to Fr. Thoren secret archive, entry dated June 6, 2002.) And Doe83 said Fr. Thoren played with his (Doe83's) genitals. (*Id.*) "He came to the house and did it in a downstairs room. He took me to places and did stuff to me." (*Id.*) A social worker who was active in the Church told Doe83 to call the Diocese. (App'x GT#2, Notes to file, entry dated June 6, 2002.) The woman also called the Diocese to see where Fr. Thoren was currently assigned, learning he had recently been transferred to Bessemer. (*Id.*)

In response to this report, the Diocese was able to confirm that Fr. Thoren was assigned to St. Peter's Cathedral from 1975 to 1977 when he was moved to Norway at St. Mary and then to Mackinaw Island in 1978 through 1986. (*Id.*; App'x GT#3, List of Fr. Thoren Appointments since ordination, p 2.) Fr. Thoren was confronted with these allegations, and he said that the reports were "partially true" in that "the boy initiated the touching and masturbation." (App'x GT#2, entry dated June 10, 2002.)

In June 2002, based on these allegations, Fr. Thoren was placed on a leave of absence and was sent to St. Luke Institute for assessment in June of 2002. (App'x GT#4, Noted dated June 11, 2002, from Sexual Misconduct Assessment Team

Meeting; App'x GT#5, Letter dated June 12, 2002, from Stephen Lynott to St. Luke Institute office manager, p 1.)

On June 26, 2002, Witness1, a Jesuit brother who was a high school teacher and worked on the island in the summer months, informed Steve Lynott that he had heard things about Fr. Thoren that he needed to share. (App'x GT#6, Notes from Lynott dated June 26, 2002). He told Lynott said that when he was 17 to 18 years old he worked for Fr. Thoren during the summers and stayed at the rectory. (*Id.*) He said he would go skinny dipping with Fr. Thoren and several times slept with him in a tent in the yard. (*Id.*) He said nothing happened. (*Id.*) After being warned by his parents about Fr. Thoren, Witness1 stopped sleeping in the tent. (*Id.*) Witness1 then said that Fr. Thoren would attempt to massage Witness1 and want him to reciprocate, which Witness1 refused to do. (*Id.*) He said that on an overnight trip to Drummond Island, there was only one bed, and Fr. Thoren "insisted" that they could sleep together, but Witness1 refused, sleeping on the floor instead. (*Id.*) Witness1 said that although he was not sexually abused, Fr. Thoren pressured him to do things that could have led to abuse and that these sorts of boundary violations between a 35–40-year old priest and a 17–18-year old he said were "disturbing." (*Id.*)

Also in this 2002 report, Witness1 said that in 1991 his friend, John Doe84, had called him and told him that while on a trip to L'Anse to visit Fr. Thoren, Fr. Thoren invited him into a sauna and then attacked him aggressively, grabbing him in a sexual manner. (*Id.*) Doe84 told Witness1 he was able to stop the assault and then left the rectory in the middle of the night. Witness1 confronted Fr. Thoren about the attack. (*Id.*) According to Witness1, Fr. Thoren said "nothing happened" and denied having a problem. (*Id.*) Additionally, Witness1 reported that a young boy, approximately 16, often stayed overnight at the rectory. Witness1 observed that the young boy often appeared high on drugs or alcohol, and he noted that the 16 year old later died of a drug overdose in approximately 1996. (*Id.*)

On July 22, 2002, Fr. James Ziminski spoke with John Doe85. (App'x GT#7, Notes of Fr. Ziminski of July 22, 2002 phone conversation with Doe85, p 1.) Doe85 recounted that the previous week he had been at work and had read an article related to the "sexual misconduct case of Thoren." (*Id.*) Doe85 reported being so troubled he had to leave work, stated that he too had been sexually abused by Fr. Thoren. (*Id.*) He said he went right home and told his wife. (*Id.*) He said he had never shared this information before. (*Id.*)

In this July 2002 conversation, Doe85 gave more details. He reported that in June 1974, when he was 15-years old and had just received his driving permit, Fr. Thoren stopped over to his family home in Menominee because he was a close family friend. (*Id.*) According to Doe85, Fr. Thoren invited Doe85 to drive him downstate for a conference so he could "get some practice." (*Id.*) His parents thought this was a great idea. Doe85 described how, during the drive, Fr. Thoren

began playing a guessing game. "Guess what I think would be a good idea for us to do tonight?" (*Id.*) Doe85 thought he meant go to a movie, but he said that Father Thoren believed they should give each other massages. (*Id.*) Doe85 said they stopped at a roadside motel on the first night. (*Id.*) Doe85 indicated he did not know what to do when what started as a massage became "intrusive and sexual." (*Id.*) Doe85 indicated that "I was in big trouble and didn't know what to do." (*Id.*) Doe85 says it led to "genital fondling, groping and some masturbation." (*Id.*) He recounted how Fr. Thoren tried to make him sleep in the bed but Doe85 was so disturbed by what happened that he refused. (*Id.*) He also said that Fr. Thoren told him, "You mother would never understand a friendship like ours." (*Id.*) Doe85 said this made him feel guilty and he decided that night he would never tell anyone what happened until his mother died. (*Id.*) The next day while driving, he said that Fr. Thoren would pretend to be asleep, and he would touch Doe85's genitals. (*Id.*) Again, Doe85 said he did not know what to do. (*Id.*)

Also in this July 2002 conversation, Doe85 recounted the events of the second night of the trip. He said he and Fr. Thoren stopped at a Chalet-type motel near Traverse City and again Fr, Thoren tried to get Doe85 to sleep in his bed. (*Id.*) Doe85 said he refused because of what had happened the night before. (*Id.*) Doe85 further indicated that, on the way home, Fr. Thoren made attempts to convince Doe85 to go "skinny dipping," which Doe85 refused. (*Id.*) And he said that once back home, Fr. Thoren made repeated offers for Doe85 to come and do things with him, which he refused. (*Id.*)

Finally in this July 2002 conversation, Doe85 reported that his mother died four years ago, and while he was standing at her casket all he could think about was what Fr. Thoren had done to him. (*Id.*) He realized that although his mother was deceased and he could tell what happened to him, he did not want to because he was ashamed. (*Id.*) He decided not to tell until his father died, and he died in December 2001. (*Id.*) Doe85 described feeling very hurt and angry that Fr. Thoren brought his mother into the situation at all by saying she would never understand. (*Id.*)

In response, Fr. Ziminski told Doe85 he "believed his story." (*Id.*) Fr. Ziminiski apologized to Doe85 "for the priests and the Church" and "told him this was not his fault." (*Id.*) He also told Doe85 that Fr. Thoren was no longer allowed to minister as a priest, that he could no longer wear a roman collar, and could no longer present himself publicly as a priest. (*Id.*) Doe85 requested that Fr. Thoren be confronted. (*Id.*) Fr. Ziminski promised that he and the bishop would speak to Fr. Thoren. (*Id.*)

On July 25, 2002, Bishop Garland, Steve Lynott and Fr. Ziminski met with Fr. Thoren, at which time they confronted him with the reports of abuse. (GT#8, Notes dated July 25, 2002, of conversation with Fr. Thoren.) As to the allegations by Doe85 in 1974 in Menominee, Fr. Thoren indicated he knew him but had no memory of a trip to a conference or the abuse. (*Id.*) Later in the conversation, Fr.

Thoren stated, "We didn't have rules against that back then, so no one had told him he couldn't do it." (*Id.*) When confronted with the abuse report of Doe84, Fr. Thoren denied it. (*Id.*)

On July 25, 2002, at the request of Father Ziminski, Fr. Thoren resigned as the pastor of St. Sebastian Parish in Bessemer. (App'x GT#9, Notes to file, dated July 25, 2002.) Stephen Lynott accepted his resignation in writing. (*Id.*) On that same date, Bishop James Garland issued a precept was against Fr. Thoren. (*Id.*; App'x GT#10, Precept.) He was restricted in the following ways:

- No contact with Doe83 or Doe85 and their families.
- No priestly ministry of any kind.
- No public appearance as a priest including wearing clerical garb.
- Avoid those places that have been a serious temptation in the area of sexual morality including being alone with minors.
- No public appearances in the parishes which he previously served. [*Id.*]

He was urged to lead a life of prayer and penance. (*Id.*)

On November 20, 2008, Bishop Alexander Sample was advised of a complaint made against Fr. Thoren by John Doe86. (App'x GT#11, "Receipt of Complaint" authored by Bishop Sample, pp 1–3.) Doe86 walked into the Chancery in Marquette and reported that in the early 1970s, when he was 13 or 14 years old, Fr. Thoren sexually abused him. (*Id.,* p 1.) Doe86 grew up at St. Peter Cathedral and was part of a large family. (*Id.*) He indicated that Fr. Thoren "engaged with him in mutual fondling of the genitals on 5 or 6 occasions," and that the abuse occurred at the "Suoumi Sauna in south Marquette." (*Id.*) He said that he and Fr. Thoren "would 'wash each other down,' with particular attention paid to the genital area." (*Id.*)

Doe86 also reported abuse by Fr. James Wolf (see entry No. 44 below). (*Id.* at pp 1–2.) Bishop Sample told Doe86 he had no reason to doubt his story and that it was "somewhat confirmed by the other substantiated allegations against Fr. Thoren." (*Id.*, p 2.) The bishop apologized on behalf of the Church for what Doe86 had suffered, and offered help with therapy and spiritual assistance. (*Id.*) The Diocese of Marquette paid Doe86 $40,000, which included $5,000 from the Capuchins for the abuse he suffered by Fr. Wolf. (App'x GT#12, Agreement and Release for Doe86 claim; App'x GT#13, $5,000 check from Capuchin Order.)

(43) FR. BERNARD VAN DER SCHUEREN, SJ (LISTED ON BISHOP ACCOUNTABILITY SITE.)

Died July 25, 2009.

On August 26, 2013, John Doe87 reported to the Diocese that he was sexually abused by Fr. Bernard Van der Schueren in the summer of 1987 and 1988 between second and third grade when he was 10 or 11 years old at St. Michael's Parish. (App'x BV#1, Handwritten notes dated August 26, 2013, p 1.) The timeline for Fr. Van der Scheuren listed him as in St. Michael Church in Marquette in July of 1989. (App'x BV#2, Timeline.) According to these notes, Doe87 explained that Fr. Van der Schueren "fondled his genitalia" and also "fondled him on the buttocks." (App'x BV#1, Notes, p 2.) Fr. Van der Schueren was apparently visiting from Belgium as a member of the Jesuit order. (*Id.* at 1.)

On August 26, 2013, Doe87 was interviewed by Kevin Branson, Director of Ministry Personnel and Counsel to the Diocesan Administrator Diocese of Marquette. (App'x BV#3, "Interview.") Doe87 reported that Fr. Van der Schueren visited Doe87's home and asked for "a tour of the home." (*Id.* at 1.) Once in the basement, according to this interview, Fr. Van der Schueren told Doe87 he wanted to do an artwork "sculpture" of him. (*Id.*) Doe87 said he dropped his pants, and Fr. Van der Schueren then "fondled" his butt and penis, referring to it as "sculpting." (*Id.*) Fr. Van der Schueren had died four years before this report, in July 2009. (App'x BV#4, Letter from Chicago-Detroit Province of the Society of Jesus, dated September 5, 2013.)

On August 29, 2013, attorney Darrell Dettmann on behalf of the Diocese reported the allegations of Doe87 to Marquette County prosecutor Matt Wiese. (App'x BV#5, Letter from Diocese to Marquette County Prosecuting Attorney, dated August 29, 2013.)

In August 29, 2013, the Diocese also reported the abuse to the Chicago-Detroit Province of the Society of Jesus for investigation and notified the Belgian authorities. (App'x BV#4.) Fr. Van der Schueren was a member of the North Belgian S.J. Province that is headquartered in Brussels. (*Id.*)

(44) FR. JAMES WOLF O.F.M. CAP
(LISTED ON BISHOP ACCOUNTABILITY SITE.)

Alive.

Listed as Retired/Restricted in Ministry, 2005–present[25]

Served in Diocese of Marquette from 1963 to 1976.

In 1995, Fr. James Wolf, OFM Cap, was accused in a civil lawsuit of having sexually abused a 17-year-old boy while pastor of Detroit St. John Evangelist Church. The boy was living with Capuchins while considering entering the priesthood. (JW#1, Detroit Free Press, February 11, 1995). The civil suit alleged that Fr. Wolf and two other Capuchins, Jim Buser and Gale Leifeld, molested the 17-year-old while he was a student at a Capuchin run high school and after graduation. (*Id.*) The complainant later became a counselor for men abused by clergy and claimed he experienced flashbacks during therapy in 1992. (*Id.*) The case was tried in 1995, but the jury found it was not filed within the statute of limitations. (App'x JW#5, Detroit Free Press, March 29, 1995.) Two priests admitted abusing other boys, but not the plaintiff in that case. (*Id.*)

In November 2008, Stephen Lynott and Bishop Alexander Sample met with Doe86, who reported he was abused by Fr. Guy Thoren (see entry No. 42 above) and Fr. Wolf. (App'x JW#2, Lynott Report dated January 27, 2009, p 1.) Doe86 reported that Fr. Wolf asked him to mow the lawn and shovel the snow at St. Peter Cathedral in Marquette. (*Id.*, p 2.) This was in the 1970s when Doe86 was approximately 11 to 12 years old. (*Id.*) Fr. Wolf allegedly took him into the Friary and gave him beer and small gifts. (*Id.*) Over a two-year period, Fr. Wolf allegedly fondled him and performed fellatio on him. (*Id.*) On April 18, 2009, the Diocese paid Doe86 $40,000, which included $5,000 from the Capuchins for the abuse he stated that he suffered from Fr. Wolf. (App'x JW#3, Review Board Data Sheet.)

In May 2011, John Doe88 reported to Fr. Ronald Browne that he was abused by Fr. Wolf in 1971–1972. (App'x JW#4, Memorandum to Bishop Alexander Sample dated April 27, 2011, pp 1–2.) Doe88 reported that he grew up in Marquette and attended St. Peter Cathedral Parish. (*Id.*, p 1.) He was approximately 20 years old when he was allegedly sexually abused. (*Id.*, p 2.) In the first instance, Doe88 reported they were staying at a Holiday Inn in Marquette. (*Id.*) He reported that they were in the sauna when Fr. Wolf grabbed his genitals. (*Id.*) On the second occasion, he said that Fr. Wolf reportedly masturbated him in the kitchen of the Bishop Baraga Association offices. (*Id.*) Doe88 reported that in 1993 he was contacted by Fr.

[25] "List of friars with substantiated accusations", Capuchin Franciscan Province of St. Joseph, https://safeguard.thecapuchins.org/list-of-friars.html (Last accessed October 26, 2022.)

Martin Pable, a Capuchin who was investigating reports of sexual abuse. (*Id.*) Doe88 spent three hours talking with Fr. Pable about the sexual abuse he claimed he suffered at the hands of Wolf. (*Id.*) There was no follow-up from Fr. Pable. (*Id.*) He further reported that in 1994 he was contacted by a lawyer who was suing Fr. Wolf and wanted him to testify at the trial. (*Id.*) Doe88 refused to testify. (*Id.*)

On June 2, 2011, Fr. Browne spoke with Bishop Alexander Sample and was instructed to contact the Capuchins. (*Id.*, p 3.) Fr. Browne emailed Fr. John Celichowski, the Provincial Superior of the Capuchins. (*Id.*) Fr. Browne was informed that Fr. Wolf did serve in the Marquette Diocese from January 1963 to May 1976. (*Id.*) Fr. Browne was further instructed to contact Br. Mark Carrico, Director of Office of Pastoral Care and Conciliation; which he did. (*Id.*)

CONCLUSION

The AG work on the clergy abuse investigation continues. All paper documents have been reviewed. All electronic documents have been reviewed.

As of October 27, 2022, eleven cases have been brought by the Department of Attorney General for all seven dioceses. Nine have resolved with convictions. Of these eleven cases, two related to priests ministering in the Diocese of Marquette, one resulting in a conviction (Fr. Jacobs) and the other remains pending (Fr. Joseph).

1. *People v. Vincent DeLorenzo* – He pled guilty to attempted criminal sexual conduct first degree and was sentenced on June 13, 2023, to 5 years probation, first year in the Genesee County Jail, sex offender counseling and registration.

2. *People v. Joseph "Jack" Baker* – He was found guilty at a jury trial of one count of criminal sexual conduct first degree and was sentenced on June 13, 2023, to 5 years probation, first year in the Genesee County Jail, sex offender counseling and registration.

3. *People v. Neil Kalina* – He was found guilty at jury trial of 2 counts of criminal sexual conduct in the second degree in June 2022. He was sentenced to 7–15 years in the Michigan Department of Corrections.

4. *People v. Gary Berthiaume* – In October of 2021, he pled guilty to two counts of criminal sexual conduct in the second degree and no contest to one count of gross indecency. He was sentenced in January 2022 to 17 months – 15 years and 17 months – 5 years to be served concurrently in the Michigan Department of Corrections.

5. *People v. Gary Jacobs* – April of 2021 he pled guilty to one count on each of his four Ontonagon County cases, with a total of three counts of criminal sexual conduct first degree and one count of criminal sexual conduct second degree. He was sentenced on these cases to 8–15 years in the Michigan Department of Corrections, along with lifetime sex offender registration and counseling. In Dickinson County, in May 2021, Jacobs pled guilty criminal sexual conduct second degree. He was sentenced on this case in July 2021 to 8–15 years in prison, with lifetime sex offender registration to be served concurrently.

6. *People v. Joseph Comperchio* – In June 2021 he pled plead guilty to one count of criminal sexual conduct in the first degree and three counts of criminal sexual conduct in the second degree. These represented complaints made by

four separate victims. He was sentenced to 10–20 years in the Michigan Department of Corrections.

7. *People v. Brian Stanley* – He pled guilty to attempted false imprisonment and in January 2020 was sentenced to 60 days in jail, probation and sex offender registration. As a consequence of an unrelated case ruling, the MSP removed Stanley from the registry after his initial registration.

8. *People v. Patrick Casey* – He was charged with one count of criminal sexual conduct in the third degree. While a jury was deliberating, he pled guilty to aggravated assault. In November 2019 he was sentenced to 45 days in the Wayne County Jail and one year of probation.

9. *People v. Timothy Crowley* – Crowley pled guilty to two counts of Criminal Sexual Conduct Second Degree. He was sentenced to 5 years' probation with the first year in the Washtenaw County Jail, sex offender registration and counseling.

10. *People v. Roy Joseph* – Charged in January 2020 with one count of criminal sexual conduct first degree. He is awaiting extradition from India.

11. *People v. Jacob Vellian* – Charged in May 2019 with two counts of rape under the old criminal sexual conduct statute. He is awaiting extradition from India. It has been reported that Vellian died in December 2022 but this has not been independently confirmed by the United States Department of Justice.

It should be noted that a criminal complaint is merely an allegation unless and until the defendant is found guilty.